

**PERSONNEL POLICIES AND
PROCEDURES MANUAL
FOR THE
TOWN OF HOPKINTON**



**Approved by the
Hopkinton Select Board
Effective: September 1, 2010**

As Amended: September 18, 2017

This document supersedes all personnel policies previously established or approved by the Town of Hopkinton.

EMPLOYEE ACKNOWLEDGEMENT FORM
Town of Hopkinton
Employee Personnel Policies and Procedure Manual

I have received and reviewed the Town of Hopkinton's Personnel Policies. The Employee Handbook describes important information about Town of Hopkinton. I have entered my employment relationship with Town of Hopkinton voluntarily and understand that there is no specified length of employment.

Since the information and policies described here may change, I acknowledge that revisions to the handbook may occur. I understand that such changes will be communicated through official notices, and that revised information may replace, modify, or eliminate existing policies, just as this handbook replaces any prior policies or practices by Town of Hopkinton.

I understand that the Town has included in the Personnel Policies an Anti-Harassment Policy because the Town of Hopkinton seeks to provide a workplace free of sexual and other prohibited harassment. I understand that unlawful harassment will not be tolerated by the Town of Hopkinton.

Only the Select Board of the Town of Hopkinton can adopt any changes to the policies in this Manual. Furthermore, I acknowledge that this Manual is neither a contract of employment nor a legal document. I have received the Manual, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

Please return this signed acknowledgement to the Finance Director to be placed in your employee file.

EMPLOYEE'S NAME (print): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

Note: return completed form to the Finance Director
of the Town of Hopkinton

ABOUT THIS MANUAL

The policies outlined in this Manual should be regarded as guidelines only, which may require changing from time to time. The Town of Hopkinton retains the right to make decisions involving employment as needed to conduct its work in a manner that is beneficial to the employees and the Town of Hopkinton. This Manual supersedes and replaces any and all prior Manuals, policies, procedures, and practices of the Town of Hopkinton.

This Manual also summarizes the current benefit plans maintained by the Town of Hopkinton for eligible employees. If any questions arise regarding the implementation or interpretation of any benefit plan, the terms and conditions of the actual plan documents and summary plan descriptions will control rather than the summaries contained in this Manual. The Manual (and other plan documents) are not contractual in nature and do not guarantee any continuance of benefits.

This Manual is not, and should not be construed as an express or implied contract, does not modify any existing at-will status of any Town of Hopkinton employee, and should not create any due process requirements in excess of federal or state constitutional or statutory requirements, nor does it guarantee any fixed terms and conditions of employment and/or benefits. Employment at-will means that employees are free to resign from their employment at any time, with or without cause or notice, and the Town of Hopkinton has similar rights and can terminate the employment relationship at any time, with or without cause or notice, except as provided by law.

Please also be aware that the Town of Hopkinton reserves the right to change, revise, or eliminate any of the policies, procedures, or benefits described in this Manual at any time, in its sole discretion. If and when provisions are changed, you will be given replacement pages for those that have become outdated. A copy will also be placed on our bulletin boards. This employee handbook may be changed at any time by the Town and may only be amended by a written document signed by the Select Board.

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SECTION 1 GENERAL PROVISIONS

1.1 Our Workplace

As you review this Manual, you will notice that terms such as “workplace” and “premises” appear in many of the Town of Hopkinton policies. For most employers, such terms encompass the buildings and surrounding property that they own or lease. However, as you know, the nature of our work as a municipality requires that our use of these terms have a broader definition. Accordingly, whenever our “workplace” or “premises” is discussed in this Manual, you must understand that we are discussing not only Town of Hopkinton buildings, facilities and properties, but also any remote job site to which you may be assigned to work and any vehicle in which you may be using for Town of Hopkinton related business.

1.2 Mutual Expectations

Each person employed by the Town of Hopkinton has been selected to contribute particular skills. The way employees bring these skills together determines how the team functions. When all work together, with each person contributing his/her best, the whole team is strong.

The following expectations of Town employees have been established to help them be responsible and accountable. In addition, the goal to make the operation of the Town more efficient, with everyone doing his/her part in a fair and equitable manner.

The Town has a right to expect from its employees:

- Excellence in his/her work
- Professional behavior in his/her dealings with the public
- Efficiency
- Faithful utilization of Town resources.

Each employee has the right to expect from his/her work colleagues:

- Excellence in his/her work
- Professional behavior in his/her dealing with other employees
- Efficiency in his/her work habits
- Commitment to the honoring of deadlines
- A sense of mutual responsibility for the work of the Town.

1.3 Equal Employment Opportunity and Policy Against Discrimination

The Town of Hopkinton is committed to a policy of equal employment opportunity to all persons based on individual merit, competence and need. The Town of Hopkinton will not discriminate against employees or applicants for employment on any legally-recognized basis including, but not limited to: veteran status, marital status, physical or mental disability, age, race, color, religion, sex, sexual orientation, gender expression, gender identity, pregnancy, national origin, ancestry or any other legally protected class. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, benefits and training.

In support of our commitment to equal employment opportunities, the Town of Hopkinton prohibits harassment of one employee by another employee or supervisor on any of the bases discussed above. Any employee who harasses another employee, citizen, or visitor on any of the bases discussed above will be subject to discipline, up to and including discharge. The Town of Hopkinton defines harassment as follows:

Harassment is verbal and physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, sex, pregnancy, national origin, ancestry, age, religion, disability, marital status, sexual orientation, gender expression, gender identity, or veteran status, or that of his or her relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

It is not possible to list all the circumstances and behaviors that may constitute unlawful harassment in violation of Town of Hopkinton policy. However, the following are some examples of conduct which may constitute harassment:

- epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, ancestry, pregnancy, age, disability, sexual orientation, gender expression, gender identity, marital status, or veteran status; and
- written or graphic material that denigrates or shows hostility toward an individual or group because of race, color, gender, religion, marital status, pregnancy, national origin, ancestry, age, disability, sexual orientation, gender expression, gender identity, or veteran status.

The Town of Hopkinton prohibits all the activities discussed above, whether engaged in by a supervisor, agent, co-worker, or non-employee who is on our premises or who comes in contact with our employees. Any employee who harasses or discriminates against another employee or any non-employee on any basis discussed above will be subject to discipline, up to and including termination of employment.

If you believe that you have been subjected to harassment and/or discrimination in violation of this policy, you should report the incident in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and appropriate action will be taken, depending on the nature and severity of any proven incident.

Retaliation against an employee who complains in good faith about harassment and/or discrimination or who participates in good faith in an investigation of a complaint is a violation of this policy. Retaliation is a form of unlawful harassment and will be handled in the same manner as other forms of harassment. If you believe that you have been subjected to retaliation, you should report the incident in accordance with the Reporting Procedure contained in this Manual.

1.4 Sexual Harassment Policy

1.4.1 Introduction

The Town of Hopkinton's goal is to provide a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by our Town. Further, any retaliation against an individual who has complained about sexual harassment and/or retaliation against any individual who has cooperated in an investigation of sexual harassment is unlawful and will not be tolerated.

Because the Town takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment. Where it is determined that such inappropriate conduct has occurred, the Town will act promptly to eliminate the conduct and impose any necessary corrective action, including disciplinary action up to and including termination where appropriate.

1.4.2 Definition of Sexual Harassment

Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature when:

- Submission to or rejection of such conduct is made explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or for awarding or withholding a favorable employment opportunity, evaluation, or assistance; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance at work, or creates an intimidating, hostile, humiliating, or sexually offensive work environment.

Under this definition, a direct or implied request by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable performance reviews, salary increases, promotions, increased benefits or continued employment constitutes sexual harassment.

The definition of sexual harassment is broad and, in addition to the above examples, other unwelcome sexually oriented conduct, whether it is intended or

not, that has the effect of creating a workplace that is hostile, offensive, intimidating, or humiliating to male or female employees may also constitute sexual harassment. Sexual harassment also includes non-sexual comments and conduct that are directed at an individual because of his or her gender or otherwise motivated by gender discrimination.

It is not possible to list all the additional circumstances and behaviors that may constitute sexual harassment or other inappropriate conduct that will not be tolerated. However, the following are some examples of prohibited conduct:

- Unwelcome sexual advances, whether or not they involve physical touching;
- Sexual epithets; sexual jokes; written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body; comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Leering, whistling, brushing against the body; sexual gestures;
- Suggestive or insulting comments;
- Inquiries into an individual's sexual experiences; and
- Discussion of one's sexual activities.

1.4.3 Complaints of Sexual Harassment

Experience has shown that a clear statement to the person engaging in the offensive behavior is often all that is necessary to stop the conduct. If you believe you are being harassed, we encourage you to let the person engaging in the conduct know how you feel. However, if you do not feel comfortable taking this step, we certainly do not require that you do so. If you believe that you have been subjected to sexual harassment, you must report the incident in accordance with the Reporting Procedure contained in this Manual. The matter will be promptly investigated and where it is determined that such inappropriate conduct has occurred, action will be taken to eliminate and correct the conduct. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

1.4.4 Retaliation

Retaliation against an employee who complains in good faith about sexual harassment or who participates in good faith in an investigation of a complaint is a violation of this policy and is prohibited by law. If you believe that you have been subjected to retaliation, you should report the incident in accordance with the Reporting Procedure as follows:

1.5 Reporting Procedure for Sexual and other Unlawful Harassment, Discrimination and retaliation

Any employee who feels that he or she has experienced sexual or other unlawful harassment and discrimination or retaliation must immediately report such actions in accordance with the following procedure. All complaints will be promptly and appropriately investigated.

- If you believe that you have experienced sexual or other unlawful harassment, discrimination or retaliation, you must report the incident immediately to your Department Head, the Town Administrator, or the Chair of the Select Board.
- Supervisors and managers who become aware of discriminating or harassing conduct, a complaint of discrimination or harassment, or retaliation must report the conduct and/or complaint immediately to the Town Administrator or the Chair of the Select Board.
- The Town of Hopkinton will promptly investigate incidents reported through this procedure. Any employee, supervisor, or agent of the Town of Hopkinton who has been found to have engaged in conduct that violates our policies against discrimination and/or harassment will be subject to appropriate remedial and/or Disciplinary action, up to and including immediate discharge. The complainant will be informed generally of the outcome of the investigation and whether remedial action is being undertaken by the Town.
- The Town of Hopkinton will conduct all investigations in as a discreet manner as possible. Disclosure of complaints will be limited to those with a need to know in order to investigate the complaint and take appropriate remedial action.

1.6 Accommodation for Individuals with Disabilities

In accordance with the Americans with Disabilities Act of 1990 ("ADA") and RSA 354-A, the Town prohibits any form of discrimination in hiring as well as in all terms and conditions of employment against individuals with physical or mental disabilities. We will make every effort to make reasonable accommodations to ensure equal opportunity for qualified individuals with disabilities in the application process and in performing essential job functions, so as to afford enjoyment of the same benefits and privileges of employment as are enjoyed by employees without disabilities.

Please notify the Finance Director or the Town Administrator if, because of a disability, you require an accommodation to perform the essential functions of your job. You may be asked to provide medical information regarding your disability and possible accommodations, and we expect that you will engage in this interactive process in good faith so that we may determine eligibility for accommodation and identify reasonable accommodations. We will maintain all medical information in a confidential manner in accordance with the ADA, and will provide reasonable

accommodations as required by law. The Town may decline to provide accommodations to individuals who are not qualified individuals within the meaning of the law, and may also decline to provide accommodations that are not reasonable or that cause an undue hardship.

1.7 Immigration Law Compliance

The Town is committed to employing only United States citizens and other who are legally authorized to work in the United States. In addition, it does not unlawfully discriminate on the basis of citizenship or national origin, and is in compliance with the Immigration Reform Act.

Each new employee must furnish a completed Form I-9 and documents supporting evidence of eligibility for employment in the United States as described in the Immigration Reform and Control Act before he/she may start work. Failure to provide such documentation in a timely manner will require termination of the employee. Each former employee who is rehired must also furnish a completed Form I-9 if he/she has not completed an I-9 with the Town within the past three years, or if his/her previous I-9 is no longer retained or valid.

Should an employee subsequently become unauthorized to work, the law requires that he/she be terminated pending receipt of additional documentation demonstrating an extension of the authorization to work in the United States.

SECTION 2 EMPLOYEE CLASSIFICATIONS

2.1 Your Employer

All staff members in each of the Town's departments are employed by the Town of Hopkinton through its Select Board. Employment verification is handled by the Finance Director.

2.2 Employment At-Will

Unless otherwise provided in a written contract or unless set forth by statute, Town employees are considered to be employees at-will. Employment at-will status enables both the Town and the employee to terminate the employment relationship with or without cause or notice, at any time, for no reason or for any reason not prohibited by law. Neither the policies contained in this Manual, nor any other written or verbal communication by a supervisor or official, are intended to change the at-will relationship or create a contract of employment.

2.3 Employment Classifications

At the time that you are hired, you are classified as a Full-Time Employee, a Part-Time Employee, a Call/Per Diem Employee, or a Temporary Employee and are informed as to whether you qualify for overtime pay. Unless otherwise specified in this Manual or as required by law, the benefits described in this Manual apply only to Full-Time Employees. All other policies described in this Manual apply to all employees, with the exception of certain wage, salary and time off limitations. If

you are unsure of which job classification into which your position fits, please ask the Town Administrator.

2.3.1 Full-Time Employees: Individuals who are regularly scheduled to work 40 or more hours per week in an established position.

2.3.2 Part-Time Employees: Individuals who are regularly scheduled to work less than 40 hours per week. Occasional workweeks of more than 40 hours due to unusual circumstances shall not be a basis for conversion of a part-time position to a regular position.

2.3.3 Call/Per Diem Employees: Individuals who are not regularly scheduled, but are available as needed. Occasional workweeks of more than 40 hours due to unusual circumstances or occasional schedule on a regular basis shall not be a basis for conversion to different classification. Call/Per Diem Employees are not eligible for benefits described in this Manual except to the extent required by state or federal law.

2.3.4 Temporary Employees: Individuals who are hired for specific periods of time or for the completion of a specific project. Temporary employees are not eligible for benefits described in this Manual except to the extent required by state or federal law.

2.3.5 Non-Exempt and Exempt Employees: All employees will be classified as either "exempt" or "non-exempt." Exempt employees are paid on a salary basis and their duties and responsibilities allow them to be considered exempt from the overtime requirements of the Fair Labor Standards Act ("FLSA"). Therefore, these employees are not eligible to receive overtime pay. Non-exempt employees do not meet the requirements necessary to be considered exempt from the overtime provisions of the FLSA. Therefore, these employees are eligible for overtime pay in accordance with the FLSA and Town policy.

Upon hiring, employees are told whether they are classified as exempt or non-exempt from the overtime provisions of the FLSA. If you have questions about whether you are classified as exempt or non-exempt under the FLSA, please contact the Town Administrator.

SECTION 3 COMPENSATION AND HOURS OF WORK

3.1 Reporting of Time Worked

It is important that your time be accurately reported so that you are compensated for the hours that you work. You are required to complete a Town Payroll Time Sheet. This time sheet is to be submitted to the Finance Department on Monday of the week immediately following the end of the pay period. The time sheet will serve to record absences and types of leave, overtime, and employee time spent on special projects. Falsification of time records could lead to disciplinary action, up to and including termination from employment. The following are details concerning your obligation to report all time you have worked.

1. Employees must report all hours that they work.
2. Each employee must sign his/her time sheet before it is submitted, and the Department Head must initial the sheet.
3. Leave time should be noted on the time sheet and initialed by the employee and the Department Head.

3.2 Pay/Pay Periods

Employees are paid on a biweekly basis on Thursdays for all hours worked during the calendar weeks preceding pay period. Please review your paycheck for errors. If you find a mistake, report it to the Finance Director immediately. Paychecks will be distributed only to you unless you have given a signed authorization to release your check to another designated person.

3.3 Work Week/Hours of Work

The Town's workweek begins and ends on Saturday at 12:00 a.m. (midnight). Because of the nature of our business, your work schedule may vary depending on your job and department. When hired, your direct supervisor will inform you of your hours of work.

3.4 Payroll Deductions

3.4.1 Payroll Deductions for All Employees: There are two categories of payroll deductions, those required by state or federal law and those authorized by the employee. Payroll deductions required by state and federal law include federal withholding, income tax, social security tax, and wage garnishments as required by law (i.e. child support payments, court-ordered payments, IRS garnishments). If authorized by an eligible employee, the Town will also make payroll deductions for health and dental insurance, savings plans, and voluntary contributions to a retirement plan. These deductions will be itemized on your check stub.

Under New Hampshire law, the Town may not withhold, make use of any portion of, or require any employee to remit any portion of an employee's wages except, with appropriate authorization, as follows: union dues; health, welfare pension, and apprenticeship fund contributions; medical, surgical, hospital and other group insurance benefits without financial advantage to the employer; voluntary contributions to charities; housing and utilities; payments into savings funds held by someone other than the employer; voluntary payments for the recovery of tuition for non-required education costs; voluntary rental fees for non-required clothing; voluntary cleaning of uniforms and non-required clothing; voluntary contributions into cafeteria plans or flexible benefit plans, or both, as authorized by section 125 or section 132 of the Internal Revenue Code; and voluntary payments by the employee for the following: child care fees by a licensed child care provider; parking fees; pharmaceutical items, gift shop, and cafeteria items purchased on the site of a hospital by hospital employees; fees for the employee's use of a qualifying fitness facility; contributions to a political action committee; installment payments of loans made by the employer to the employee; voluntary repayment of accidental overpayments made to the employee; repayment of unearned advances on

vacation or other paid time off where supported by appropriate documentation; required clothing not considered to be uniforms; and the use of a demonstrator vehicle as defined in RSA 261:111.

3.4.2 Payroll Deductions for Salaried Exempt Employees: The Town complies with all federal and state laws with regard to deductions from paychecks, including deductions from the salaries of exempt employees. In accordance with the laws, salaried employees receive a predetermined salary that is not subject to reduction because of variations in the quality or quantity of work performed and is not subject to reduction for absences requested by the Town or due to the operating requirements of the Town. The Town of Hopkinton recognizes that under federal and state law there are only limited times when a salaried employee's salary can be subject to deductions. Following RSA 275:43-b, the Town may prorate an exempt employee's final paycheck in the case of a termination for cause.

The Town of Hopkinton prohibits deductions from salaries that are inconsistent with the status of an exempt employee. Exempt employees should note that salaries are subject to modification from time to time, such as at evaluation time, when an employee's position or responsibilities change, and at other appropriate times. Exempt employees should also note that it is permissible for an employer to apply vacation, sick, personal and other forms of paid time off to partial or full-day absences for personal reasons, sickness, or disability, and that applying paid time is not considered a deduction from salary.

3.4.3 Questions Regarding Paycheck and Deductions: If you have any questions or concerns about your paycheck or any deductions from your pay, please contact the Finance Director as soon as possible. If you do not receive a prompt response or are dissatisfied in any way with the response you receive, you should feel free to contact the Town Administrator.

Questions and concerns regarding pay and deductions will be investigated and addressed promptly. If there has been an error, such as a deduction made in error, the employee will receive a corrected check or a check reimbursing the employee for the error, whichever is more practicable under the circumstances.

Employees should feel free to communicate any questions or concerns regarding pay or deductions. The Town of Hopkinton will not tolerate retaliation against employees who have expressed concerns using this procedure.

3.5 Reimbursable Expenses

3.5.1 Reimbursable Expenses – All Expenses: With prior approval by the Town Administrator, the Town of Hopkinton will reimburse legitimate expenses to the employee. The employee must submit receipts in order to be reimbursed. Reimbursement may be in the form of petty cash, an addition to a paycheck, or a separate check. Department Heads shall approve their employee's requests, the Town Administrator shall approve Department Head's requests, and the Select

Board shall approve the Town Administrator's requests. See the Town Administrator with any questions as to whether and what expenses may be reimbursed.

3.5.2 Reimbursable Expenses – Automobile Expense: Automobile expense will be reimbursed at the mileage rate established by the Internal Revenue Service.

3.5.3 Reimbursable Expenses – Travel and Meals Expense:

1. The Town will process reimbursements to employees for actual amounts paid, up to the maximums set forth herein, upon presentation of an itemized bill. Reimbursements will only be for lodging, meals, mileage, travel (airfare, buses taxis etc.), tolls, parking, car rental, and such other items as may be approved in advance by the Town Administrator. All reimbursement requests will be reviewed and approved (or denied) in accordance with Section 3.5.1 above prior to submission to the Finance Office.

2. The Town reserves the right to cap the maximum amounts to be paid in accordance with the rules of the Internal Revenue Service, as set forth in IRS Publication 463 & Publication 1542, using the rates established by the U.S. General Services Administration (go to per diem rates at www.gsa.gov) The Finance Office shall prepare and distribute GSA maximum rate charts and figures upon employee request.

3. The following items are not subject to any reimbursement except under extraordinary circumstances subject to the discretion of the Select Board:

- Alcoholic beverages
- Snacks or beverages that are not part of a meal
- Handwritten bills or invoices
- Entertainment or sporting event expenses
- Charitable donations or gifts
- Luxury travel (limousine, car rental other than a compact vehicle, etc.)
- Fines or fees or any other expenses related to criminal or civil violations
- Reading material other than essential literature for a conference

3.6 Overtime

From time to time, it may be necessary for you to perform overtime work. All overtime must be approved in advance by your Department Head. Except in the event of an emergency, the Town will attempt to provide you with advance notice of the necessity for overtime work. Most non-exempt employees, with the exception of certain law enforcement and fire protection employees are entitled to be paid one and one-half (1-1/2) times their regular rate of pay for all time worked in excess of forty (40) hours per week. Sick days, vacation time, leaves of absences, and other time off benefits are not counted as "time worked" for purposes of overtime except when an emergency operation or winter storm operation is declared by the Town Administrator. During these operations, an employee will receive overtime pay even if 40 working hours have not been

satisfied due to using sick, personal, holiday or vacation time. You will be advised when you are hired if you are entitled to overtime pay.

Town employees engaged in law enforcement activities will be paid overtime at the rate of one and one-half times their regular rates of pay for all time worked in excess of forty (40) hours worked in the seven-day work period. Town employees engaged in fire protection activities will be entitled to overtime pay at the rate of one and one-half times their regular rates of pay for all hours worked in excess of fifty-three (53) hours in the 7-day work period.

3.7 Breaks and Meal Periods

Generally, all Town employees will be provided with an unpaid thirty (30) minute meal period/break after five consecutive hours of working, unless it is feasible to eat while working and the employee is permitted to do so. Fire protection and law enforcement personnel will receive meal breaks as established by their respective Departments. One or two paid break periods of fifteen (15) minutes will be granted during the work day if possible, but these breaks are not guaranteed.

3.8 Break Time for Nursing Mothers: Non-exempt employees will be provided with a reasonable time for the employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has need to express the milk. A private area will be provided. These breaks are unpaid.

SECTION 4 TIME AWAY FROM WORK AND OTHER LEAVE BENEFITS

4.1 Holidays

Full-time and part-time employees working at least 20 hours per week regularly, are entitled to the paid holidays listed below, provided that the employee normally works on that day and provided that the employee works his or her assigned day preceding and following the holiday unless properly authorized to be off those days. For eligible hourly employees, holiday pay will be paid at the straight time hourly rate and will be pro-rated for employees that regularly work fewer than eight (8) hours on that day. Part-time employees working less than 20 hours per week regularly, Call/Per Diem, and Temporary Employees are not entitled to paid holidays.

Some employees may be required to work on holidays. Hourly employees who are required to work on a holiday shall receive time and one-half compensation. Exempt employees who work on a holiday shall be given another day off.

Police officers and firefighters are required to work their regularly scheduled shifts on holidays with scheduling at the discretion of the Department Head. All Full-Time police officers and firefighters will be paid straight time for the holiday in addition to his/her regular pay. (40 hrs. wk.=8hrs., 48 hrs. wk. = 12hrs.). Any fulltime police officer or firefighter working during the 24 hours of the holiday (midnight to midnight) will receive time and one-half compensation for the time worked.

Holidays:

New Year's Day	(January 1)
Martin Luther King Day	(3rd Monday of January)
President's Day	(3rd Monday of February)
Memorial Day	(Last Monday of May)
Independence Day	(July 4)
Labor Day	(1st Monday of September)
Columbus Day	(2nd Monday of October)
Veterans' Day	(November 11)
Thanksgiving Day	(4th Thursday of November)
Thanksgiving Friday	
Christmas Day	(December 25)

All holidays will be observed on the day designated by the Federal Government or as approved by the Select Board.

4.2 Vacation

Vacation is a time for you to rest, relax, and pursue special interests. The Town provides paid vacation as one of the many ways in which we show our appreciation for your hard work and continued service.

Full-time and Part-time Employees working at least 20 hours per week regularly are eligible for paid vacation. Part-time employees working less than 20 hours per week regularly, Call/Per Diem and Temporary Employees are not entitled to paid vacation time. Vacation shall be cumulative up to the prescribed 240 hours maximum accrual. There shall be no further accrual following the maximum stated. Vacation following maximum accrual will be on a "use it or lose it" basis.

Vacation time is granted to eligible employees based upon length of service and anniversary date. If there is a break in service, eligibility for vacation will be based on the employee's most recent hire date.

No part of an employee's scheduled vacation may be converted to sick leave. If illness or injury occurs during a vacation, sick leave benefits will not begin until the employee is scheduled to return to work.

Vacation pay for a full week will be paid based on the normal straight time scheduled hours; i.e., if someone normally is scheduled for forty (40) hours per week, their vacation pay will be for forty (40) hours for each full week requested, and anyone normally scheduled for thirty-five (35) hours will be paid thirty-five (35) hours for each full week requested. If requested, an employee shall be paid his or her vacation pay before starting his or her vacation provided that such vacation pay is scheduled at least two (2) weeks in advance; otherwise, the employee shall be paid his or her vacation pay upon return from vacation.

Vacation is earned based on the employee's hire date and is accrued according to the following schedule:

Years of Continuous Service	Part-Time Hours Accrued Per Pay Period	(40 hr week) Hours Accrued Per Pay Period	(40 hr week) Hours Accrued Per Year	(48 hr week) Hours Accrued Per Pay Period	(48 hr week) Hours Accrued Per Year	FT Maximum Accumulation Hours
0 thru 5th	1.85	3.69	96	4.43	115	240
6th thru 10th	2.31	4.62	120	5.54	144	240
11th thru 15th	3.08	6.15	160	7.38	192	240
16th on	3.85	7.69	200	9.23	240	240

*A part-time employee working at least 20 hours per week regularly will be paid for vacation time on a pro-rated basis in accordance with his/her regular hours of work. For instance, if a part-time employee regularly works five (5) hours per day, then the part-time employee will only be entitled to five (5) hours of pay when he/she takes a vacation day. Part-time employees may carry over up to 40 hours each year.

You are expected to take your vacation during the year in which it is earned. Vacation time may be taken in full day or half day (4 hours minimum) increments. The Town will not pay employees for unused, accrued vacation time at the end of the year. Vacation time may be carried over and accumulated in subsequent years up to the maximum accumulation referenced above. An employee will not be paid accrued, unused vacation pay upon termination from employment unless the employee has been actively employed for at least six (6) months prior to the termination and: (1) in the event of resignation or retirement, the employee has given two (2) week notice of his/her intent to resign or retire; or (2) in the event of involuntary discharge, the termination was not "for cause," as determined by the Town.

An employee will not accrue any vacation time for those pay periods in which the employee is entitled to no wages, unless required under law. Generally, this will occur when the employee is on unpaid leave, such as FMLA leave.

All employees must submit requests for vacation time to his or her Department in writing. Department Heads must submit requests for vacation time to the Town Administrator. Requests should be submitted at least two weeks in advance of the requested vacation dates. Vacation may be taken only if the request is approved by the person to whom the request is submitted.

4.2.1 New Department Heads: For new department heads, the Select Board reserves the right to negotiate where he/she shall start on the chart above based on previous work experience.

4.2.2 Consecutive Days of Leave: It is the intent of the Town of Hopkinton to strongly encourage employees to utilize leave time in such a manner as to enable them to take five consecutive days of leave at least once per year.

4.2.3 Paid Holiday During Leave: In the event that a paid holiday falls during an employee’s vacation the holiday will be charged as a paid holiday and not as a vacation day.

4.3 Personal Days

The Town will provide two (2) paid personal days each to all full-time and one (1) paid personal day to part-time employees working regularly at least 20 hours per week. A day for firefighters working 24-hour shifts is 12 hours. Part-time employees working less than 20 hours per week regularly, Call-Per Diem and Temporary Employees are not entitled to any paid personal days. New employees will receive pro-rated Personal Days based on hire date. Personal days may not be carried over from year to year, and employees will not be paid for personal days not taken during the year upon separation from employment. All personal days must be approved in advance by your Department Head or the Town Administrator.

4.4 Sick Leave

The Town provides paid sick days to all full-time and part-time employees working at least 20 per week regularly. Part-time employees working less than 20 hours per week regularly, Call/Per Diem and Temporary Employees are not entitled to any paid sick days. Employees will be paid at the normal straight time rate for the number of hours the employee was scheduled to work. Sick pay may not exceed the employee’s regular workday and/or workweek hours. Eligible part-time employees earn sick time on a prorated basis based on their regularly scheduled hours.

<u>Years of Continuous Service</u>	<u>Part-time Hours Accrued Per Pay Period</u>	<u>(40 hr week) Hours Accrued Per Pay Period</u>	<u>(40 hr week) Hours Accrued Per Year</u>	<u>(48 hr week) Hours Accrued Per Pay Period</u>	<u>(48 hr week) Hours Accrued Per Year</u>	<u>Maximum Accumulation (Hours)</u>
0 thru 1st	.93	1.85	48	2.22	57.6	720
2nd thru 9th	1.85	3.69	96	4.43	115.2	720
10th on	2.31	4.62	120	5.54	144	720

An eligible part-time employee will be paid for sick days on a pro-rated basis in accordance with his/her regular work hours. Sick Leave may be used for any of the following:

- Any absence resulting from the physical or mental illness, injury or medical condition of the employee.
- Health care appointments for the employee or family member, including but not limited to doctor visits for illnesses, physicals, “well-child” appointments, chiropractic, physical therapy, dental services, orthodontia, etc.
- An absence to care for a family member who is in need of care.

Sick leave is not intended to supplement other leave provisions.

The Town may, at any time, ask you to submit satisfactory medical verification of an illness from your health care provider. Failure to provide verification may result in loss of sick leave benefits or, in cases in which sick leave abuse is detected, disciplinary action.

An employee will not accrue any sick leave for those pay periods in which the employee is on unpaid leave status.

Employees who leave the Town employment for any reason will not be entitled to any pay for unused sick days.

Employees who do not report to work due to illness must contact their immediate supervisor on a daily basis relative to the need for and status of their absences, unless otherwise directed. Reporting of the absence to any employee other than the immediate supervisor will not be accepted as compliance with the daily reporting requirement. Employees who fail to report to work or call in to his or her immediate supervisor for two (2) consecutive work days will be considered to have voluntarily resigned from their employment.

4.4.1 New Department Heads: For new department heads, the Select Board reserves the right to negotiate where he/she shall start on the chart above based on previous work experience.

4.4.2 Depletion of Sick Leave: In the event all accumulated sick leave has been used, the employee may take any accumulated vacation leave. An absence from work beyond the limit of authorized leave may place the employee in jeopardy of termination.

4.5 Family and Medical Leave

Under the Family and Medical Leave Act ("FMLA"), eligible employees may take an unpaid leave of absence and be restored to the same or an equivalent position upon their return to work for any of the following reasons:

1. The birth of the employee's child and to care for the newborn child (leave must be taken within twelve (12) months of the birth of the child);
2. The placement of a child with the employee for adoption or foster care, and in order to care for the newly placed child (leave must be taken within twelve (12) months of the adoption or placement of the child);
3. The serious health condition of a spouse, parent, minor child, or adult child when the adult child is incapable of self-care and the employee is needed for such care ("covered family members");
4. The employee's own serious health condition that renders the employee unable to perform his or her job;
5. A "qualifying exigency" (as defined in the Department of Labor Regulations) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in the United States Armed Forces in support of a contingency operation as a member of the National Guard or Reserves;

6. The employee is a spouse, son, daughter, parent, or next of kin of a "covered service member" (as defined in the Department of Labor Regulations) who has a serious injury or illness and the employee is needed to care for such person.

Eligibility Requirements: To be eligible for FMLA leave, an employee must satisfy both of the following conditions:

- The employee must have worked for the Town for at least twelve (12) months, and must have performed at least 1,250 hours of work in twelve (12) months prior to a leave request; and

Leave Entitlement: If an employee takes FMLA leave for a reason stated in paragraphs 1-5 above, the employee is entitled to up to twelve (12) workweeks of unpaid leave during a twelve (12) month period. That twelve (12) month period is defined as a "rolling" twelve (12) month period measured backward from the date an employee begins an FMLA leave. In other words, the number of weeks the employee has available upon the beginning of a FMLA leave will be twelve (12) weeks less the number of FMLA leave weeks taken in the twelve (12) month period prior to the beginning of the current FMLA leave (the "Available Leave Weeks"). For example, if an employee used four weeks beginning February 1, 2008, four weeks beginning June 1, 2008, and four weeks beginning December 1, 2008, the employee would not be entitled to any additional leave until February 1, 2009. Beginning on February 1, 2009, the employee would be entitled to four weeks of leave; on June 1, 2009, the employee would be entitled to four additional weeks; and so on.

If an employee takes FMLA leave for the reason stated in paragraph (6), above, the employee may take up to 26 weeks of unpaid FMLA leave within a single 12-month period. This 12-month period begins on the first day of leave.

An employee who takes FMLA leave for a reason stated in paragraph (6), above, will be limited to a combined total of 26 workweeks of leave for any FMLA-qualifying reason during the single 12-month period. The leave entitlement described in paragraph (6) above is to be applied on a per-covered-service-member, per injury basis such that an eligible employee may be entitled to take more than one period of 26 workweeks of leave if the leave is to care for different covered service-members or to care for the same service-member with a subsequent serious illness of injury, except that no more than 26 workweeks of leave may be taken within any single 12-month period.

Tracking FMLA Leave: When an eligible employee requests any leave of absence that qualifies under the FMLA, the Town has the right to designate such leave as FMLA leave. For example, if an eligible employee suffers a work-related injury that qualifies as a serious health condition, the Town has the right to designate any time away from work as FMLA leave. In such circumstances, the Town will provide the employee with the same notifications as though the employee had

specifically requested FMLA leave.

Intermittent and Reduced Schedule Leave: Under some circumstances, employees may take FMLA leaves of absences intermittently (in separate blocks of time due to a single FMLA qualifying reason) or on a reduced leave schedule (reducing the usual number of hours an employee works per workweek or workday). Certification will be required to show that an intermittent or a reduced schedule leave is a medical necessity for leaves under paragraphs (3), (4), and (6), above. Other documentation or certification may be required to show that such an intermittent or a reduced schedule leave is necessary in the case of a leave of a "qualified exigency" under paragraph (5), above.

If FMLA leave is for birth and care, or placement for adoption or foster care, as described in paragraphs (1) and (2), above, use of intermittent leave is subject to Select Board approval.

When an employee takes intermittent or reduced schedule leave, time spent working will not be counted against the employee's FMLA entitlement.

Employees taking intermittent or reduced schedule leave will be paid for the time they work, and the leave time away from work will be unpaid unless the employee qualifies for workers' compensation, short-term disability, or other benefits. If an employee is a salaried employee, the Town will adjust the employee's salary based on the amount of time actually worked.

While an employee is on intermittent or reduced schedule FMLA leave, the Town may temporarily transfer the employee to an available alternate position that better accommodates the employee's recurring leave and that has equivalent pay and benefits.

Employees who take intermittent leave for a planned medical treatment have an obligation to make a "reasonable effort" to schedule the treatment so as not to disrupt unduly the Town's operations.

Status of Employee Benefits: Employees are required to use any accrued, unused paid time off days during FMLA leave unless the FMLA leave is otherwise paid through workers' compensation benefits, short-term disability benefits, or other benefits. The substitution of paid leave time for unpaid leave time does not extend the FMLA leave period. Also, the employee's FMLA leave may run concurrently with other types of leave.

During an approved FMLA leave, the Town will maintain the employee's health benefits under the same terms and conditions applicable to employees not on leave.

- If paid leave is substituted for unpaid FMLA leave, the Town will deduct the employee's portion of the health plan premium as a regular payroll deduction.

- If an employee's leave is unpaid, or is paid through workers' compensation, short-term disability benefits, or other benefits not provided through the Town's payroll system, the employee must pay his or her portion of the premium by making arrangements with the Town's Finance Director.
- Health and other benefit coverage may be canceled if the employee's premium payment is more than (thirty) 30 days late.

If an employee elects not to return to work at the end of the leave, the employee will be required to reimburse the Town for the cost of the premiums paid by the Town for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or because of other circumstances beyond the employee's control. If the FMLA leave is for a condition that is covered under the Town's short or long-term disability insurance, covered employees may apply for benefit coverage.

Benefit entitlements based on length of service will be preserved at the level earned as of the commencement of the leave, but will not accrue further during the leave period. For example, an employee on leave will not accrue additional sick/personal days.

Requesting Leave: Employees must complete the appropriate FMLA leave request forms. These forms are available from the Finance Department.

If an employee's need for leave is foreseeable, such as for the birth of a child or planned medical treatment, you must give your Department Head and the Finance Director (thirty) 30 days' prior written notice. In cases of planned medical treatment, please make efforts to schedule the treatment to avoid disrupting the Town's operations.

If the need for leave is not foreseeable, the employee must give notice to his or her Department Head as soon as practicable (generally, either the same day or the next business day of learning the employee's need for leave) and the employee must comply with all of the Town's policies regarding absences from work. Failure to provide such notice may be grounds for delaying the leave. If the employee is unable to notify the Town of his/her need for leave personally because of illness, the employee should ask someone else to call on his or her behalf.

Medical Certifications: If an employee is requesting leave because of the employee's serious health condition, a covered family member's serious health condition, or for the serious injury or illness of a covered service-member, the employee must provide a medical certification from the appropriate health care provider. It is an employee's responsibility to provide a complete and sufficient certification. Please obtain a medical certification form from the Finance Department for the health care provider to use. If possible, the employee should

provide the medical certification before the leave begins. If that is not possible, the employee must provide the medical certification within fifteen (15) days of requesting leave. If the employee does not provide the required medical certification in a timely manner, the employee's leave may be delayed. If you do not provide the certification at all, the Town will not be able to determine whether you are eligible for FMLA leave and your leave will be denied. The Town reserves the right to authenticate or clarify any medical certification if necessary.

In the case of an employee's own serious health condition, or that of a family member's serious health condition, the Town, at its expense, may require an examination by a second health care provider designated by the Town. If the second health care provider's opinion conflicts with the original medical certification, the Town, at its expense, may require a third health care provider agreed upon by the employee and the Town to conduct an examination and provide a final and binding opinion.

The Town may also require subsequent medical recertification. Failure to provide requested re-certifications within fifteen (15) days may result in delay of further leave.

Certifications for a Qualifying Exigency: Employees who request a leave for a "qualifying exigency" arising from an immediate family member's call to active duty or impending call or order to active duty will be required to provide a copy of the family member's active duty orders or other documentation issued by the military indicating the member is on active duty or call to active duty status in support of a contingency operation. Other documentation certifying the exigency necessitating the leave will also be required.

Confirmation of Familial Relationship: Employees requesting a leave of absence based on a familial relationship (e.g. leaves under paragraphs (3), (5) and (6)), may be required to provide reasonable documentation or statement of family relationship. This documentation may take many forms, including but not limited to a child's birth certificate, a court document, etc.

Reporting While On Leave: If an employee takes leave because of his or her own serious health condition, to care for a covered family member with a serious health condition, to care for a covered service-member with a serious illness or injury, or for a qualifying exigency, the employee must contact the office of the Finance Director on a regular basis to provide updates about the status of the need for leave (e.g. the medical condition of the employee or the individual for whom the employee is caring, or other circumstances necessitating leave) and the employee's intention to return to work. In addition, the employee must give notice as soon as practicable (within two (2) business days if feasible) if the dates of leave change or are extended or initially were unknown.

No Work While on Leave: The taking of another job (including self-employment)

while on FMLA leave or any other authorized leave may lead to disciplinary action, up to and including discharge.

Returning to Work: At the end of an authorized FMLA leave, the employee will be reinstated to his or her original position or an equivalent position. However, certain highly compensated employees or “key employees” may be denied restoration to their prior or equivalent position if keeping the job open for the employee would result in substantial economic injury to the Town. Key employees are those employees who are among the highest paid ten percent of employees within 75 miles of the worksite.

If an employee takes leave because of his or her own serious health condition, the employee will not be reinstated until the employee provides a fitness for duty certificate from his or her health care provider confirming that the employee is medically able to resume work and perform the essential functions of his or her job. The return-to-work medical certification forms are available from the Finance Department. The Town reserves the right to clarify and authenticate such certification.

Coordination with Maternity Leave: As stated in our Maternity leave policy, the Town provides female employees with a leave of absence for the period of temporary physical disability resulting from pregnancy, childbirth, and related medical conditions. If an employee is also eligible for FMLA leave, the employee’s FMLA leave and Maternity Leave will run concurrently. Please refer to the Town’s Maternity Leave policy for more information regarding Maternity Leave.

For purposes of coordinating FMLA and maternity leaves, maternity disability leave will be treated in the same manner as the FMLA leave of absence described in paragraph (4) above. Maternity disability leave begins when an employee is medically determined to be disabled and ends when medically determined to be able to return to work. If a maternity disability leave is for the number of available FMLA leave weeks or less, the employee may take additional FMLA leave pursuant to paragraph (1) or (2) after the end of the disability period, not to exceed the number of remaining available leave weeks and will be reinstated in accordance with this FMLA policy. If a maternity disability leave exceeds the number of available FMLA leave weeks, then reinstatement will be governed by the maternity leave policy.

Coordination with Other Town Policies; Reference to FMLA and Federal Regulations: In the event of any conflicts between this policy and other Town policies, the provisions of this policy will govern. The FMLA and the FMLA regulations issued by the U.S. Department of Labor contain many limitations and qualifications that are not stated in this policy. The Town reserves the right to apply the terms of the FMLA and the FMLA federal regulations.

Any questions relative to FMLA leaves, including eligibility requirements, should

be directed to the Finance Director at the Town Hall, 330 Main Street, Hopkinton, NH 03229 (603) 746-1081.

4.6 Maternity Leave

Maternity Leave is designed to provide eligible employees with a period of time to recover from childbirth and to bond with the new family member without loss of base pay or benefits.

Full-Time and Part-Time Employees working at least twenty hours per week regularly are eligible for paid Maternity Leave. Call/Per Diem and Temporary Employees are not eligible for paid Maternity Leave. Employees who satisfy the eligibility criteria are immediately eligible for benefits under this section.

Eligible employees are entitled to six (6) weeks paid Maternity Leave upon giving birth, either via cesarean section or vaginal delivery. A Full-Time Employee will be paid her base rate of pay for six (6) weeks when on Maternity Leave and Part-Time Employees will be paid at her base rate of pay for the hours she was regularly scheduled to work each week prior to Maternity Leave, for a duration of 6 weeks.

Since the circumstances surrounding Maternity Leave can generally be anticipated and preplanned, employees are expected to provide the Town Administrator with a minimum of thirty (30) days advance notice, unless unforeseen circumstances exist. Where unforeseen circumstances arise, employees should provide notice as soon as practical. Additional documentation may be required to support the requested Maternity Leave.

The Town will continue to provide health insurance benefits for the full period of the approved Maternity Leave. During this time, an employee will be responsible for paying her portion of the monthly premium.

Benefits such as Vacation, Personal Time, and Sick Time will continue during the approved Maternity Leave period. Holidays that occur during the approved leave period will not be paid and are considered forfeited.

If the employee is eligible for short-term or long-term disability, those benefits shall be used first to pay the salary with the Town paying the difference between the benefit and base pay to keep the employee "whole".

If an employee fails to report to work promptly as scheduled after the end of the approved leave period, unless other arrangements have been agreed upon, the Town will assume that the employee has voluntarily resigned.

If an employee qualifies for benefits both under this section and the Family Medical Leave Act (FMLA), the leaves of absence will run concurrently. In addition, the documentation and notification requirements need not be duplicated.

4.7 Parental Leave

The Town recognized that employees have differing needs when it comes to welcoming a new child into his/her family. To support the unmet needs of families

of all types, the Town provides a paid Parental Leave of absence for two (2) weeks to eligible employees who adopt or whose spouse or partner gives birth.

Full-Time and Part-Time Employees working at least twenty hours per week are eligible for paid Parental Leave. Call/Per Diem and Temporary Employees are not eligible for paid Parental Leave. Employees who satisfy the eligibility criteria are immediately eligible for benefits under this section.

A Full-Time Employee will be paid his/her base rate of pay for two (2) weeks when on Parental Leave and Part-Time Employees will be paid at his/her base rate of pay for the hours he/she was regularly scheduled to work each week prior to Parental Leave, for a duration of 2 weeks, employees must start the Parental Leave within ninety (90) days of the birth or adoption.

Benefits such as Vacation, Personal Time, and Sick Time will continue during the approved Parental Leave period. Holidays that occur during the approved leave period will not be paid and are considered forfeited.

Employees may use Parental Leave only once per calendar year.

Since the circumstances surrounding Parental Leave can generally be anticipated and preplanned, employees are expected to provide the Town Administrator with a minimum of thirty (30) days advance-notice, unless unforeseen circumstances exist. Where unforeseen circumstances arise, employees should provide notice as soon as practical. Additional documentation may be required to support the requested Parental Leave.

The Town Administrator should respond to an employee's request for Parental Leave in a timely manner, normally within ten (10) business days of receiving the request.

If an employee fails to report to work promptly as scheduled after the end of the approved leave period, unless other arrangements have been agreed upon, the Town will assume that the employee has voluntarily resigned.

If an employee qualifies for benefits both under this section and the Family Medical Leave Act (FMLA), the leaves of absence will run concurrently. In addition, the documentation and notification requirements need not be duplicated.

4.8 Personal Leave of Absence

The Town of Hopkinton recognizes that due to personal circumstances, it may be necessary for an employee to request more time off than is provided under our policies concerning holidays, vacation, sick, and personal days, and FMLA, maternity, and parental leave. A personal leave of absence may be granted at the sole discretion of the Select Board to employees who have exhausted their leave available under our other leave policies.

Personal leaves of absence will be unpaid, and an employee on a personal leave of absence is not entitled to accrue any benefits, including, but not limited to, holidays, vacation time, sick leave, and personal days. However, eligible employees may apply for workers' compensation or short-term disability benefits. The forms for these benefits are available from the Finance Director.

Employees who are granted a personal leave of absence may continue to participate in our health insurance benefit for the calendar month during which the leave begins. When that calendar month expires, the employee may continue health insurance coverage by making arrangements with the Finance Director to pay the entire amount of the appropriate monthly premium in advance each month.

To request a personal leave of absence, please contact the Town Administrator. You may be asked to provide a written request for the leave and/or a doctor's certificate stating the reason for the leave and the expected date of return to work. If granted, personal leaves typically will not exceed 30 days.

Requests for leave will be considered on a case-by-case basis, taking into account the Town's staffing needs and other factors. If a personal leave is granted, you may not accept other employment of any kind, including a business of your own, while you are on leave. If you are granted a personal leave of absence, you must inform us when you are able to return to work.

We will make reasonable efforts to reinstate employees returning from personal leaves to the same or similar job as held prior to the leave of absence, subject to our staffing needs and other requirements. Please understand that we cannot guarantee reinstatement from a personal leave. If the Town is not able to reinstate an employee returning from leave, the employee's employment will be terminated, and the employee will remain eligible to apply for employment in the future. If an employee fails to return to work following the expiration of the leave, the employee will be considered to have voluntarily resigned from his or her employment with the Town.

4.8 Military Leave

Employees who voluntarily or involuntarily serve in the United States armed forces or National Guard (collectively referred to as "uniformed services") will be provided with leaves of absence for such service or training in connection with such service in accordance with the federal Uniformed Services Employment and Reemployment Rights Act ("USERRA").

Military leaves of absence will be unpaid, unless otherwise required by law. You may elect to take part of, or all, your accrued vacation time with pay during your military leave of absence, but you are not required to do so.

4.8.1 Notice of Leave Request: An employee needing time away from work for service or training in the uniformed services should make the Town Administrator aware of the need for leave as soon as the employee receives the written or verbal orders. It is requested that notice should be provided at least 30 days before the leave begins where it is at all possible to do so.

An employee's request for leave may include reasonable time off to get personal business in order prior to commencing service in the uniformed services. Reasonable time off will be decided by the Town Administrator based on a case by case basis.

4.8.2 Health Coverage: If a military leave lasts less than 31 days, the employee's health insurance will be continued and the employee will pay his/her regular contribution for the cost of healthcare insurance. Payment for insurance with less than 31 days leave may be paid in advance or upon return through payroll deductions.

If a military leave lasts 31 days or more, then the employee's health insurance coverage will cease and the employee will be eligible to elect to continue his or her health insurance coverage at his or her own expense for up to 24 months, in accordance with USERRA. The cost for continuation coverage will be the full cost of the premium, and a 2% administrative fee may also be charged.

When the employee returns to work, he or she will be reinstated to the health insurance benefit with no waiting period, even if coverage terminated during the leave.

4.8.3 Pension: Upon reemployment the employee is treated as if there was no break in service for participating, vesting and accrual purposes. If applicable, the employee may elect to make up any missed contributions or elective deferrals, but is not required to do so.

4.8.4 Reinstatement: Employees wishing to be reinstated following military leave should promptly notify the Town Administrator of their desire to be reinstated. If the leave is for service of less than 31 days, then the employee should return to work on the first full regularly scheduled work day following completion of service, allowing for 24 hours of rest and time for safe transportation back from the service. If the service lasts 31 to 180 days, then the employee should notify the Town Administrator of the desire for reinstatement within 14 days of completing service. If the military leave lasts more than 180 days, then the employee should notify the Town Administrator of the desire for reinstatement within 90 days of completing service.

The Town will reinstate eligible employees promptly. Eligibility for reemployment will be determined with reference to USERRA and its implementing regulations. Employees seeking reinstatement may be asked to provide documentation of the timeliness of the reinstatement request, the total time spent in service, and/or a statement that the reason for separation or dismissal from service is not disqualifying.

Employees cannot waive their reemployment rights in advance of being released from uniformed service.

4.8.5 Disabled Service Members: If a returning employee was disabled or a disability was aggravated during uniformed service, the Town of Hopkinton will

make reasonable accommodations as required by law and efforts to help the employee become qualified to perform the duties of his or her reemployment position.

4.8.6 Statement Against Discrimination and Retaliation: The Town of Hopkinton will not discriminate in hiring, employment, reemployment, or any benefits of employment against any individual because of that individual's service in the United States uniformed services. The Town also will not tolerate any retaliation against any individuals because of their service in the uniformed services or their engagement in any other activities protected under USERRA.

Questions regarding this policy should be directed to the Finance Director.

4.9 Bereavement Leave

Full-time and part-time Employees working at least 20 hours per week on a regular basis, will be granted time off from work without loss of pay in connection with the death of a relative in accordance with the following policy.

In the event of the death of a member of a full-time or part-time employee's immediate family, the Town provides three (3) days paid time off. The three (3) work days usually include the day before the funeral and a day after. Pay for part-time employees will be pro-rated based on the number of hours, if any, the employee regularly works on those days. "Immediate family" includes spouse, domestic partner, children (including biological or by adoption), step-children, parents, siblings, step-parents, step-brothers, step-sisters, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren of the employee.

4.10 Jury Duty/Witness Leave

The Town of Hopkinton considers it a civic duty to serve on a jury if summoned and will grant you leave to serve on a jury. An employee shall be excused from employment for the day or days required in serving as a juror or witness in any court created by the United States or the employee's state of residence. For Call/Per Diem and Temporary Employees, jury or witness duty should be considered an excused unpaid absence. A full-time employee, or Part-Time Employee who works 20 hours per week or more called for jury duty or subpoenaed as a witness shall be granted paid leave for up to ninety (90) days for the period of the civil involvement, and any absence thereafter will be unpaid leave, unless otherwise required by state or federal law. Employees who are compensated for jury duty shall be paid the difference between their regular day's pay and the amount of compensation they receive for performing their jury duty.

Employees summoned for jury duty must inform his/her Department Head and the Town Administrator as soon as possible, and must present a copy of the summons to the Town Administrator. If released from jury duty on any day, the employee is expected to return to work.

4.11 Leave of Absence for Victims of Crime

The Town of Hopkinton will grant an employee unpaid time off from work to attend court or other legal or investigative proceedings associated with the prosecution of a crime in which the employee was a victim. For purposes of this policy, a "victim" is any person who suffers direct or threatened physical, emotional, psychological, or financial harm as a result of the commission or attempted commission of a crime.

Employees may also qualify for leave under this policy if they are part of the immediate family of a homicide victim or part of the immediate family of a child under the age of 18 or an incompetent adult who is the victim of a crime. For purposes of this policy, "immediate family" means the spouse, domestic partner, children (including biological or by adoption), step-children, parents, siblings, step-parents, step-brothers, step-sisters, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandparents, and grandchildren, or legal guardian of the victim, or a person who is otherwise in an intimate relationship with and residing in the same household as the victim.

An employee needing time off under this policy should notify the Town Administrator as soon as possible. The employee may be asked to submit copies of the notices of each scheduled hearing, conference, or meeting that is provided to the employee by the court or agency involved in the prosecution of the crime. Employees must comply with any requests to submit these notices, and failure to do so may result in denial of the leave of absence. The Town will maintain any such notices or records in confidence, and will disclose them only on a need to know basis.

The employee will be notified as soon as practicable whether the leave request is granted or denied. Requests falling within the definitions of this policy will typically be granted unless the leave of absence would cause an undue hardship on the Town of Hopkinton. An "undue hardship" for purposes of this policy means significant difficulty and expense. In determining whether an undue hardship may exist, we will consider the size of our operations, the employee's position, and our need for the employee to be at work.

Leave taken under this policy is unpaid, although an employee may elect to use his or her accrued, unused vacation time, sick leave, or personal days.

The Town will not discharge, threaten, or discriminate against an employee for taking leave under this policy, and employees taking leave under this policy will not lose any seniority during the leave of absence.

4.12 Medical Benefit Plan

Eligible employees may participate in our medical insurance plan. Full-time employees may enroll in either a single, two-person, or family plan contract after meeting the eligibility criteria stated in our plan documents. Information and enrollment forms may be obtained from the Finance Director. To assist you with the cost of this insurance, the Town of Hopkinton pays a percentage of the cost, as

determined by the Select Board. The balance is to be paid by the employee through authorized payroll deduction.

It is the intent of the Town that all Full-time employees have adequate medical insurance. If an employee is able to provide proof of alternate health coverage and has elected, in writing, to not avail him/herself of the Town's health provider, the employee is eligible for a payment in lieu of benefit based on the policy adopted by the Select Board.

Please see the Finance Director for more details.

4.13 Dental Plan

Eligible employees may participate in our dental insurance plan. Full-time employees may enroll in either a single, two-person, or family plan contract after meeting the eligibility criteria stated in our plan documents. Information and enrollment forms may be obtained from the Finance Director. To assist you with the cost of this insurance, the Town pays a percentage of the cost, as determined by the Board of Selectmen. The balance is to be paid by the employee through authorized payroll deduction.

Please see the Finance Director for more details.

4.14 Life Insurance

The Town currently provides group life insurance to all full-time employees. The amount of coverage is currently \$15,000, and is subject to change. There is no shared cost with eligible employees at this time.

4.15 Retirement Plan

The Town supplies a mandatory retirement program for all full-time employees through the New Hampshire Retirement System. The rules of the plan are established by the New Hampshire Retirement System Board of Trustees. All Full-Time Employees must join the New Hampshire Retirement System at the start of his or her employment.

4.16 Short Term Disability

The Town currently does not offer short-term disability insurance.

4.17 Long-Term Disability

Full-time employees are eligible to enroll in our long-term disability insurance beginning at the first full month of employment. This insurance is designed to provide some income for you in the event that you suffer a non-occupational illness or injury. There may be waiting periods that apply before the benefits will begin.

Our long-term disability benefits are governed by detailed plan documents that are available from the Finance Director.

If you are enrolled in our long-term disability benefits and you suffer an illness or injury, please notify the Finance Director immediately. The Finance Director will tell

you which forms must be completed and the medical information that must be supplied to apply for the benefits.

4.18 Educational Reimbursements

The Town, within budget restraints, will pay 50% of the tuition, books and materials cost for any employee wishing to attend an approved job-related course. The employee must first submit his/her request, using a PAF, to his/her department head for an approve/not approve recommendation. The Department Head will then pass on the request to the Town Administrator for the Select Board to make the final decision.

At the completion of an approved course, and at the discretion of the Select Board, any employee receiving a grade of "C" or better will be reimbursed the remaining 50% of the cost by the Town.

All courses must be taken on the employee's own time.

It is the policy of the Town to promote and encourage appropriate continuing education for Town employees.

4.19 Conference Expenses

Short courses, seminars and conferences, which are directly job related, will be paid 100% by the Town, if approved. The employee must first submit his/her request, using a PAF, to his/her Department Head for an approve/not approve recommendation. The Department Head will then pass on the request to the Town Administrator for final consideration.

These short courses, seminars and conferences may be taken on Town time.

4.20 Uniforms

All employees of the Town of Hopkinton whose position with the Town requires a uniform will have their uniforms paid for by the Town from the respective departmental budgets. The number of uniforms per employee is to be determined by the individual department head.

4.20.1 Uniform Cleaning Stipend - Police: All full-time police officers will be given a uniform cleaning stipend as determined by the Select Board and the budget process for the cleaning of uniforms. Part-time police officers will be given a pro-rated portion of this amount as determined by the Chief of Police. Any officer who leaves the Town's employment during the year will receive his/her allowance on a pro-rated basis.

4.20.2 Uniform Cleaning Stipend – Fire: All full-time firefighters will be given a \$100 annual stipend for uniform cleaning. All stipends for uniform cleaning are taxable under IRS regulations unless employee provides receipts for uniform cleaning.

4.20.3 Public Works Uniform Allowance: All Public Works Department employees will be provided a uniform by the Town as determined by the Select

Board and the budget process. All Public Works employees are required to wear steel toe boots. The Town will reimburse employees up to an amount determined by the Select Board provided the employee submits a receipt for the purchase.

4.21 Safety Equipment

All safety equipment required as part of employment such as hard hats, helmets, safety vests, etc., will be supplied by the Town and remain the property of the Town. Required equipment will be determined by the department heads.

4.22 Medical Expense

All Employees whose position requires that they have a physical examination will have same at the expense of the Town.

4.23 COBRA

The Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA") provides eligible employees and their covered dependents with the opportunity to continue medical and dental insurance for a period of time, at their own expense, if they would otherwise lose coverage for certain qualifying reasons. Please see the Finance Director for more information about COBRA.

4.24 Workers' Compensation Insurance and Reporting Workplace Injuries

On-the-job injuries are covered by the Workers' Compensation Insurance Policy provided at no cost to the employee. We ask for your assistance in alerting the Town to any condition which could lead or contribute to an employee accident.

4.24.1 Reporting Injuries: If you are injured on the job, no matter how slightly, you **must** report the incident immediately to your Department Head who will report it to the Town Administrator. Employees must complete the necessary workers' compensation forms following any injury. The Workers' Compensation carrier must also be contacted prior to seeking medical attention (unless it is a life-threatening injury).

4.24.2 Weekly Income Benefits: The amount of the weekly worker's compensation benefit is set by the New Hampshire Department of Labor. These benefits are paid by our workers' compensation carrier to eligible employees.

4.24.3 Temporary Alternative Duty: Employees with work-related injuries may also be entitled to temporary alternative duty in accordance with New Hampshire's workers' compensation laws. Employees with non-work-related disabilities who require accommodations to perform their jobs should make accommodation requests to the Town Administrator. Please refer to The Americans with Disabilities Act policy in this Personnel Manual for more information.

4.24.4 Reinstatement: A full-time employee who has sustained an on-the-job injury will be reinstated to his or her former position upon request within eighteen (18) months of the initial injury if the position exists and is available, and the

employee is not disabled from performing the duties of the position. A fitness-for-duty certificate may be required before an employee is permitted to return to work.

Under New Hampshire law, an employee's reinstatement rights expire eighteen (18) months from the date of injury. An employee also will not be reinstated if he/she has accepted a job with another employer at any time after the date of the injury or if there is a medical determination that the employee cannot return to his/her former position. Other circumstances concerning reinstatement will be governed by the New Hampshire Department of Labor requirements.

4.25 Public Officials Liability Insurance

The Town carries public officials' liability insurance for all Town employees, which covers them during their official performance of their job. Details are available from the Finance Director.

4.26 Unemployment Insurance

The Town of Hopkinton pays into the unemployment compensation fund established by the State of New Hampshire. Individuals laid off from employment by the Town of Hopkinton may be eligible for unemployment compensation benefits through the New Hampshire Department of Employment Security.

4.27 Social Security

Social Security is a payroll deduction representing your contribution to the federal government's Social Security Program. The Town of Hopkinton also contributes money on your behalf to the Social Security Program.

SECTION 5 ON THE JOB

5.1 Attendance

Attendance and punctuality are important factors for your success in the Town. However, the Town is aware that emergencies, illnesses, or pressing personal business that cannot be scheduled outside work hours may arise.

If an employee is unable to report to work, or if an employee will arrive late, the employee must contact his/ her Department Head. The Department Head should be given as much time as possible to arrange for someone else to cover the position until the employee arrives. If the employee knows in advance that he/ she will need to be late or absent, the employee is required to request, in writing, this time off directly from his/her Department Head.

For late arrivals, the employee should indicate when he or she expects to arrive for work. If the employee is unable to call in because of an illness, emergency or for some other reason, the employee should arrange to have someone call on his/her behalf.

Absence from work for two (2) consecutive days without notifying his or her Department Head will be considered a voluntary resignation. Furthermore, three (3) absences in a 90-day period, or a consistent pattern of absence, will be considered excessive, and the reasons for the absences may come under question.

Tardiness or leaving early is as detrimental to the Town of Hopkinton as an absence. Three (3) such incidents in a 90-day period will be considered a "tardiness pattern" and will be considered excessive, and the reasons for tardiness or leaving early may come under question. Other factors, like the degree of lateness, may be considered.

All employees should be aware that excessive absenteeism, lateness, or leaving early may lead to disciplinary action, up to and including dismissal from employment.

Attendance records will be considered when evaluating requests for promotions, transfers, leaves of absence, and approved time off, as well as disciplinary, termination, and layoff decisions.

5.2 Confidentiality

The Town of Hopkinton's information and records relating to Town business, operations, plans, projects, strategies, employees, or citizens may be confidential. Therefore, employees must treat all matters accordingly.

No Town information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of the Town) may be removed from the Town's premises without permission from the Town Administrator.

Additionally, the contents of the Town's records may not be disclosed to anyone, except as required by law.

Employees unsure about the confidential nature of specific information are expected to seek clarification from the Town Administrator. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

5.3 Computer Use and Communications Equipment Policy

The Town of Hopkinton provides communication tools including computers, fax machines, telephones, voice mail, e-mail, and access to the Internet to help you do your job. This policy is designed to help you understand our expectations for the use of these resources and to help you use these resources wisely.

All employees should be aware that the Town has the right, but not the duty, to monitor the computer, network, fax, voice mail, cellular phones, e-mail, and Internet use of all employees. For this reason, employees should not have any expectation of privacy in their use of our computers or other communications equipment, including e-mail and voice mail systems. The Town reserves the right to suspend individual user accounts for violation of this policy and to take disciplinary action up to and including termination of employment for the misuse of these resources or other violations of this policy.

The following guidelines apply to all employees:

- Employees should be aware that in addition to monitoring e-mail messages sent and received on our system (including e-mail messages sent and received from personal e-mail accounts accessed from our system), the Town has the ability and the right to monitor such things as each Internet web site visit, newsgroup discussions, chat room discussions, computer network use, and voice mail accounts. Our computers and other communications equipment and the communications, information, and documents created on them are the property of the Town of Hopkinton and may be monitored by the Town at any time.
- Our computers and other communications equipment may not be used to violate any federal, state, or local laws or regulations. Use of any Town resources for illegal activity is grounds for immediate termination of employment, and we reserve the right to report the matter to law enforcement authorities. We will cooperate with any legitimate law enforcement investigation.
- The Town reserves the right to inspect any and all files stored on our computer network, including any files in private areas of our network, in order to assure compliance with this policy.
- The display or transmission of any sexually explicit image or document on any Town of Hopkinton system is a violation of our policy on sexual harassment. Our computers and other communications equipment also may not be used to transmit or display ethnic or racial slurs, or any other comment, message, or image that offensively addresses age, race, sex, sexual orientation, religion, national origin, disability, veteran status, or anything else that may be construed as harassing, discriminating, or disparaging of others. Transmission of harassing, discriminatory or otherwise objectionable e-mail or files is strictly prohibited.
- Transmission of any religious or political messages is strictly prohibited.
- Access to non-work related, obscene or offensive web sites is strictly prohibited.
- Any personal use of our computers or other communications equipment for any commercial activity (other than Town business) is strictly prohibited, as is the use of our computers and communications equipment for anything that may not be in the best interest of the Town including, but not limited to, activities that disclose any confidential or proprietary information of the Town of Hopkinton.
- Town computers and other communications equipment are to be for Town of Hopkinton use only by authorized users. Non-employees may not use the Town's computers, network, or other communications equipment for any reason.

- Use of another employee's account, user name, or password, or access to their personal files without their consent (by anyone other than authorized representatives of the Town as authorized by the Town Administrator) is strictly prohibited. Obtaining, or trying to obtain, other users' passwords, or using programs that compromise security in any way is prohibited.
- All pass codes and passwords are the property of the Town of Hopkinton. No employee may use a passcode, password, or voice mail access code that has not been issued to that employee by the Town or that is unknown to the Town of Hopkinton. Users of the Town's computers, network, and other communications equipment must take reasonable precautions to prevent unauthorized access to our systems. Passwords should not be divulged to unauthorized persons.
- Destruction, theft, alteration, or any other form of sabotage of the Town's computers, programs, software, hardware, networks, websites, files, data, and other communications equipment and resources is prohibited and will be investigated and prosecuted to the fullest extent of the law.
- The breaking into and/or corrupting of any of the Town of Hopkinton's computer, network, or other communications equipment is strictly prohibited. Hacking into third party computer or other information systems using the Town's technology is also prohibited, and will be reported to the authorities.
- Any vulnerability in the Town of Hopkinton's computers, network, or other communications equipment or resources should be reported immediately to the Town Administrator.
- The use of viruses, worms, or other destructive programs is prohibited. If a virus, worm, or other destructive program is identified, it should be immediately reported to the Town Administrator.
- Accessing the Town's files or any other files on the network or the system that you did not create is prohibited unless you have prior authorization from the Town Administrator.
- Disruptive behavior such as intentionally destroying or modifying files on the network is strictly prohibited. Any form of tampering, including, but not limited to, snooping, drilling down, or hacking, or introducing malware or spyware is strictly prohibited.
- Confidential information is not to be transmitted over the Internet or otherwise disclosed without prior authorization and proper encryption. All Town data and information is considered confidential unless the Town has granted permission for an employee to disclose that information or unless required by law. Accessing or attempting to access confidential data is strictly prohibited. Confidential information should be used only for its intended purpose. Employees' responsibility for confidentiality continues outside of work. Employees may not work on Town of Hopkinton documents,

data, or other business on home computers or other portable technology without the express prior approval of the Town Administrator.

- All employees are responsible for taking precautions to safeguard the physical security of the Town's network, Internet, computers, and other communications equipment. Disks, CDs, USB portable drives, Zip drives, and other removable drive devices containing sensitive, confidential, or proprietary information should be stored in a locked drawer, whenever possible. Computers should be turned off when not in use for an extended period of time or when an employee is out of his or her office.
- Employees are not allowed to introduce to our network, Internet, computers, or other communications equipment media from any external sources, including, but not limited to, CDs, disks, zip drives, personal digital assistants (including, but not limited to smart phones and palm pilots), USB portable drives, and other removable drive devices.
- Employees also may not copy, transmit, or otherwise remove any information from our network, Internet, computers, or other communications equipment to CDs, disks, zip drives, personal digital assistants, USB portable drives, or other removable drive devices without prior authorization from the Town Administrator.
- Employees may not intentionally download anything from the Internet without prior authorization. This includes, but is not limited to, screensavers, music, E-mail stationary, and other images.
- All downloaded files or applications are to be scanned for viruses by the Town Administrator before being saved on the Town's network. The Town Administrator must review all downloaded applications before being installed on the network.
- The Town of Hopkinton retains the copyright to any Town-related material posted to any forum, newsgroup, chat or World Wide Web page by any employee in the course of his/her duties.
- All information on the network, Internet, computers, and other communications equipment is the property of the Town of Hopkinton. Deleting, altering, or sharing confidential, proprietary, or any other information during employment or after separation from employment is prohibited, unless you have prior authorization. Upon separation from employment, any computer or other equipment, including CDs, disks, Zip drives, USB portable drives, personal digital assistants, and other removable drive devices, must be returned with the appropriate passwords, identification codes, and other information necessary for the Town to continue using its equipment.
- All employees are required to report any violations, or suspected violations, of this policy.

5.4 Personal Dress

We expect all employees to come to work with a neat, well-groomed appearance and workplace appropriate clothing. Dress requirements may vary by department; however, certain rules apply across the board to all employees. All clothes should be clean and neat in appearance. Footwear such as flip flops or other beach type sandals is not acceptable. Jeans, tight-fitting clothing, tank tops, bare midriff (half) shirts, shirts with bare backs, and short skirts or dresses are not considered workplace appropriate clothing. Exceptions to the business attire policy may be made for inclement weather.

If an employee is not dressed or groomed appropriately for work, the employee may be sent home to change. This time will be unpaid unless otherwise required by law.

Any questions concerning dress should be directed to the Town Administrator.

5.5 Inclement Weather

As a matter of policy, the Town offices will not be closed because of weather conditions or predictions. At all times, the presumption shall be that the Town offices will be open. The exception to this is as follows:

- In the event that the State of New Hampshire government announces via the news media that all state offices in Concord (except for institutional and public safety employees) will not open due to storm conditions, the Town offices will close on that day. In this case, all employees will be paid for that day and no vacation leave will be charged.
- The Town Administrator has the discretion to close the offices if storm conditions or weather predictions warrant such action for employees' safety. Under such circumstances, all employees will be paid for that day and no vacation leave shall be charged. The Town Administrator shall so inform other departments of the decision to close.

If weather conditions are such as to lead an employee to believe that the office may be closed, it is the responsibility of the employee to contact the office on the matter before coming to work.

Employees who take leave due to storm conditions, other than in the instance of the above exceptions, shall notify or cause notification to the office by 8:00 a.m. of the day of their decision, if the decision to take leave is made before arriving at work. The vacation time of the employee shall be charged for leave taken due to storm conditions whenever such a decision is made by the employee. In the event an employee elects to take vacation leave due to a storm and the Town Administrator later closed the office early, the employee shall not be charged vacation leave for the portion of the day the office is closed at the Town Administrator's direction. In the event that the employee has no vacation accrued, then the day will be recorded as leave without pay.

5.6 Solicitation and Distribution

No solicitation of any kind is permitted during working time, unless first approved by the Town Administrator. "Solicitation" is defined as requests for contributions, donations, raffles, lotteries, membership in organizations, attendance at events, or other similar conduct. "Working time" is defined as time during which the employee is scheduled to be working, exclusive of established break periods, meal times, and time before and after work hours. This rule applies to solicitations of both charitable and non-charitable causes.

No distribution of any non-work related written materials is permitted in any work area of any kind, unless first approved by the Town Administrator. "Work areas" are defined as any Town office or facility, other than designated break areas.

Employees may solicit or distribute materials only during break time or outside of scheduled work hours. Persons not employed by the Town of Hopkinton are likewise prohibited from distributing materials or soliciting employees on the Town of Hopkinton's premises at any time, unless authorized by the Town Administrator.

5.7 Parking Facilities

The Town of Hopkinton assumes no liability to any employee or official for any damage to or by any motor vehicle owned or operated by any employee or official on Town property.

5.8 Motor Vehicle Violations

All employees who operate Town of Hopkinton vehicles are required within 72 hours to notify the Town Administrator if they have been convicted of or plead nolo contendere to any and all motor vehicle violations. If the license of any employee who operates Town of Hopkinton vehicles is suspended, revoked, or otherwise restricted, the employee must notify the Town Administrator within one working day of learning of the suspension, revocation, or restriction. Employees who are required but unable to drive and/or who fail to comply with this policy may be subject to discipline, up to and including termination of employment.

5.9 Operation of Vehicles

Only authorized employees may operate Town of Hopkinton-owned vehicles. Unless prior written approval has been granted by the Town, they are not to be used for personal business and are not to be operated at times outside the scheduled workday. Using a Town vehicle outside the scheduled workday without permission will result in disciplinary action, up to and including termination.

Any employee who, as a part of his/her duties, has a need to operate a Town-owned vehicle must hold a valid driver's license and an acceptable driving record. In addition, the Town reserves the right to conduct annual motor vehicle record checks as well. Employees must cooperate in completing any required authorizations or other paperwork for the motor vehicle records checks. Copies of the reports received by the Town will be furnished to the employee upon request. Having a driving record that, in the opinion of the Town, is unsatisfactory, or one that is unacceptable to the Town's insurance carrier, may be grounds for

disciplinary conduct, including but limited to loss of driving privileges and/or dismissal.

Safe Operation: As employees of a public agency, it is expected that the driving habits of all employees will serve as an outstanding example to the community.

Any employee who drives a Town-owned vehicle and receives a citation or any other fine or penalty for unlawfully operating any motor vehicle, Town-owned or non-Town owned, shall notify the Town Administrator consistent with the above MOTOR VEHICLE VIOLATIONS policy of the citation and/or fine and also shall be personally responsible for the payment of said fine(s) or any costs associated with the actual fine or legal representation in any such related matter.

Collision: In the event of a collision involving property or vehicle damage, or personal injury, the following steps must be taken:

- The accident must be reported to your supervisor immediately
- An accident report must be completed with the Finance Director.
- At the accident scene, contact the local police department for all accidents regardless of the extent of physical damage.
- If applicable, obtain the other driver's name, address, phone number, description of vehicle, insurance company information as well as the name(s) of any witnesses.
- No repairs should be completed on any damaged Town vehicle unless express permission is obtained from the Town.

Failure to comply with any of the steps may result in discipline up to and including termination.

Seat Belts: Employees are required to wear seat belts when operating or riding in Town of Hopkinton-owned vehicles, or in personal vehicles while on Town business. It is recommended that passengers also wear their seat belts, and to the extent required by state or federal law.

Use of Cell Phones and PDAs: Except in emergency situations, the use of hand-held cell phones or personal digital assistants to make calls during the operation of a Town-owned vehicle or while driving a personal vehicle on Town business is prohibited. Failure to adhere to this policy could result in disciplinary action. Hands-free headsets are acceptable. It is strongly recommended, however, that the operator pull over to the side of the road prior to using the cell phone. TEXTING WHILE DRIVING IS AGAINST LAW AND EXPRESSLY PROHIBITED BY THE TOWN OF HOPKINTON.

Smoking: Employees are prohibited from smoking in Town-owned vehicles at all times.

5.10 Town Security

It is each employee's responsibility to help ensure that proper security measures are exercised at all times. You should be familiar with emergency exits and with alarm systems and the proper steps to take upon hearing them. Any suspicious person or events should be called to the immediate attention of the Town Administrator.

5.11 Conflict of Interest

The Town of Hopkinton expects its employees and officials to conform to the highest ethical and legal standards. Employees are required to refrain from engaging in any activities that create a conflict or the appearance of a conflict of interest. Examples of conduct and behavior that would violate this policy include, but are not limited to, the following:

- Investing in any of the Town's vendors or suppliers (unless the securities are publicly traded and the investments are on the same terms available to the general public, and not based on any inside information), or having any financial interest in a vendor or supplier that could cause divided loyalty or even the appearance of divided loyalty.
- Receiving any gifts or favors in any amount or value from members of the public, or from any Town vendors or suppliers.
- Using directly or indirectly, Town funds, assets, or other resources for any unlawful goal or purpose.
- Engaging in practices that violate federal, state or local laws or ordinances.

Employees with any questions regarding these guidelines are required to discuss them with the Town Administrator, prior to engaging in any activity or conduct that may violate this policy, as violations may lead to disciplinary action, up to and including termination.

5.12 Policy Against Nepotism

While the Town is committed to hiring the most qualified and capable individuals available for every position, it recognizes the importance of maintaining a collegial and positive work environment. Therefore, no relative may work in the same department as a regular employee if the employment relationship is such that the relative is directly supervised by the employee or where the employment relationship may cause a potential conflict of interest, unless specifically approved by the Town Administrator.

A relative is defined to include spouse, domestic partner, children, parents, step-parents, step-children, siblings, immediate in-laws, grandparents, grandchildren, or other person living in the employee's household.

5.13 Suggestions and Ideas

We are always interested in your constructive ideas and suggestions for improving our operations. We believe that constructive suggestions indicate initiative on the part of an employee, and we encourage employees to submit them. A constructive suggestion notes an issue and offers a reasonable suggestion for improvement.

5.14 Standards of Conduct

All employees are required to comply with our standards of conduct, which are intended to promote consistency and harmony in the workplace, and to support the missions and objectives of the Town. We recognize that no list of rules can be all inclusive. Incidents may arise that are not covered by the standards of conduct which may lead to discipline, up to and including termination. The following areas are intended to guide you in recognizing certain behaviors which are clearly prohibited and which are considered by the Town to constitute cause for disciplinary action, up to and including termination.

1. **Absence and Lateness** - Excessive absences and/or lateness; failure to call in when absent; overstaying allotted break time; leaving the work area or work early without permission; misuse of any leave of absence.
2. **Employment/Town Records** - Making a false statement on the application form; falsifying Town and employment records.
3. **Attitude** - Using abusive language to any person while at work, creating any type of disturbance, demonstrating a lack of cooperation, verbally abusing or neglecting visitors or resident of the Town.
4. **Safety** - Violation of safety regulations or endangering the health or safety of other persons; failing to report any work-related accidents.
5. **Employee Relations** - using abusive or profane language to another employee; negligent or intentional destruction of another employee's personal possessions; threatening bodily harm; intent to strike; striking another employee. Using threatening, abusive or profane language or other provocation which might reasonably be expected to result in a disturbance.
6. **Crime** - Conviction of a crime.
7. **Dishonesty** - Dishonesty to a coworker, resident, visitor or to the Town.
8. **Incompetence** - Repetition of avoidable mistakes to a point that the mistakes demonstrate a disregard for the Town's interest.
9. **Intoxicants** - Bringing, possessing, dispensing, selling, buying or using alcoholic beverages, illegal drugs, or the illegal use of prescription drugs, on Town property or while on the job; being under the influence of or testing positive for these substances during working hours.
10. **Neglect of Duty** - Negligence in the performance of duties which conflict with the Town's interest. Neglect of duty resulting in inferior work, equipment breakdown, or waste of materials, supplies or products.
11. **Unsatisfactory Job Performance** - Failing to demonstrate the requisite skills or abilities to satisfactorily discharge the employee's duties.

12. **Weapons** - Possession of any kind of weapons on Town property unless it is required for your job.
13. **Telephone, Facsimile, Computer, E-Mail, Copier** - Excessive use of Town telephone, facsimile, computer, e-mail, Internet access and/or copier for personal purposes.
14. **Theft or Destruction of Property** - The theft or negligent or intentional destruction of any Town property or the personal property of a coworker, resident or visitor.
15. **Sexual or Other Unlawful Harassment** - Discrimination, sexual or other unlawful harassment, and/or inappropriate conduct in violation of Town policies. Retaliation against anyone who has complained of alleged harassment or discrimination or has participated in an investigation of a complaint.
16. **Insubordination** - Acting in an insubordinate manner toward any supervisor or any other directive of the Town of Hopkinton.
17. **Violation of the Town's Policies, Procedures or Rules** - Failing to follow the Town's policies, procedures or rules.

5.15 Discipline

It is the policy of the Town to take corrective action against employees who violate rules, regulations, standards of conduct, endanger the safety of others, or perform in an unsatisfactory manner. Generally, there are four (4) types of disciplinary actions used by the Town: documented verbal warning, written warning, suspension, and dismissal. While the Town will apply the concept of progressive discipline when appropriate, it reserves the right, in its sole discretion, to determine the appropriate level of discipline in any circumstance. In addition, nothing in this policy or Personnel Manual undermines the at-will nature of the employment relationship, which may be terminated at any time by either party with or without cause, and regardless of whether any prior disciplinary action has been taken. The Town may also place an employee on administrative leave, paid or unpaid, on a temporary basis, as permitted under federal and state law.

5.16 Voluntary Dispute Resolution Procedure

If you feel you have a problem, you should present the situation to your direct supervisor so that the problem can be settled by examination and discussion of the facts. We hope that the supervisor will be able to satisfactorily resolve most matters.

An employee who is not satisfied with the supervisor's response is urged to go to the Department Head and again try to resolve the issue. If the matter is not resolved by the Department Head within fifteen (15) business days, the Town Administrator is available to discuss the issue. We urge every employee to follow through rather than be dissatisfied. Any complaint will be investigated and the findings and determination reported back to the employee.

Your suggestions and comments on any subject are important to us so we encourage you to take every opportunity to discuss them with us. Your job will not be adversely affected in any way because you choose to use this procedure.

5.17 Right of Appeal

Any employee who is given a written warning, suspended, dismissed, demoted, placed on probation shall have the right to appeal to the Select Board for review of the matter and to have the Board render a final decision. All hearings held before the Board shall be informal, subject to such rules of procedure adopted by the Select Board. The hearing shall be held pursuant to RSA 91-A, with the hearing held in a non-public session unless the affected employee requests that the hearing be held in a public session. Written requests for appeal of disciplinary actions must be filed by the employee with the Office of Selectmen within ten (10) calendar days from the date the employee is notified in writing of disciplinary action. The appeal must be signed by the employee and shall contain an abbreviated statement describing the complaint and stating specifically the section of the Personnel Policy that the employee feels has been violated. At this point in the process, the Town does not expect to engage counsel and encourages employees to do the same, while recognizing their right to do so. The Select Board shall then issue a written decision to the employee involved within fifteen (15) calendar days of the date of the hearing.

5.18 Personnel Records

The Town maintains certain records containing job-related information on all employees to ensure compliance with state and federal law and to keep a record of your progress as an employee. Your personnel file is our continuous record of information relative to your employment. You may inspect your own personnel file during regular office hours, upon reasonable request. However, you may not be permitted to review your personnel file if you are subject to an investigation at the time of your request and disclosure of such information would prejudice law enforcement. File inspection must be done on your own time, and must be arranged through the Finance Director. You may read your personnel file, but you may not remove any portion of the file. Upon request, you will be provided with a copy of all or part of your personnel file.

If upon inspection of your personnel file, you disagree with any of the information contained in such file, you may submit a written statement explaining your version of the information together with evidence supporting such version. The Town will maintain such statement as part of your personnel file and will include the statement in any transmittal of the file to a third party.

It is important that your personnel file includes accurate information regarding who should be contacted in case of emergency. Please notify the Finance Director as soon as possible of any changes in your name, address, telephone number, marital status, dependents and/or beneficiaries.

5.19 Performance Appraisals

In order for you to improve performance and better understand the Town's expectations, the performance of employees will be periodically reviewed. You will generally receive performance appraisals from your direct supervisor. However, performance review is a continuing process throughout the course of employment, and you may meet with your supervisor to discuss performance more frequently.

Your direct supervisor will discuss your performance review, giving you the opportunity to understand the expectations of your position and to examine your strengths, as well as areas in which you need to improve. You will have the opportunity to comment on and sign the review. Your signature on the performance appraisal form indicates that you have seen the appraisal; it does not indicate agreement or disagreement with the content of the review.

A performance appraisal is not a contract or a commitment to provide a compensation adjustment, a bonus, or continued employment. Appraisals are only one of several factors that the Town uses in connection with compensation, promotion, and retention decisions.

5.20 Promotions, Transfers and Job Postings

The Town strives to provide employees with the opportunity to make full use of their skills, interests and potential. To support employee growth and development, we will make every effort to promote qualified employees from within the Town of Hopkinton, if possible, based upon the needs of the Town and employee qualifications. We may also recruit individuals from outside of the Town, depending upon the circumstances.

In an effort to inform employees of promotion and transfer opportunities, we list vacancies for non-exempt positions on the bulletin boards. Employees who meet the qualifications of the open position are eligible to apply. Generally, in order to maintain stability, employees who have been working in their current position for less than one year will not be considered for another position, unless the Town of Hopkinton, in its discretion, decides otherwise. However, a transfer or promotion initiated by the Town of Hopkinton may take place at any time regardless of the employee's length of service in their present position.

Employees may obtain additional information about open positions and request consideration for any opening by contacting the Town Administrator. The Town Administrator will have final approval over all transfers and promotions.

If a transfer or promotion is granted, the employee's pay rate in the new position will be determined at the time of the transfer or promotion. The pay rate will be based upon the employee's qualifications, experience, job performance evaluations, and other considerations within the discretion of the Town, unless otherwise governed by a collective bargaining agreement or other Town policy.

Employees will generally receive a performance evaluation after 90 days in a new position. Another performance evaluation will typically be conducted after 6 months of service in the new position. Employees may be eligible for a pay

increase in conjunction with the 6-month evaluation, depending upon the circumstances.

SECTION 6 EMPLOYEE SAFETY AND HEALTH

6.1 Health and Safety Program

Also refer to the Town of Hopkinton Safety Policy.

Safety is of great concern to the Town of Hopkinton. It is important that we all keep safety foremost in our minds to ensure that our work environment is as safe as possible. Safety can only be achieved through teamwork. Each employee, supervisor, and official must practice safety awareness by being alert, anticipating unsafe situations, and reporting unsafe conditions immediately. Please observe the following precautions:

- a. Notify your supervisor of any emergency situations. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately.
- b. The use of alcoholic beverages, illegal drugs, or the abuse of legal drugs during work hours will not be tolerated. Possession of alcohol or any illegal drugs on Town property is prohibited.
- c. The use, adjustment, and/or repair of machines or equipment is to be performed only by you if you are trained and qualified.
- d. Get help when lifting or pushing heavy objects.
- e. Understand your job fully and follow instructions. If you are not sure of a safe procedure, ask your supervisor.
- f. Know locations, contents, and intended use of all first aid and firefighting equipment.
- g. Wear personal protective equipment in accordance with the job you are performing.
- h. Understand and practice all safety procedures when handling, loading, or transporting hazardous materials.
- i. All job descriptions include keeping our facilities and lots clean and safe. Every employee must participate in this effort.

Violations of safety precautions may lead to disciplinary action, up to and including termination.

6.2 Joint Loss Management Committee (Safety Committee)

The Town of Hopkinton maintains an active Joint Loss Management Committee comprised equally of management and regular employees, which meets at least

quarterly. All participation is voluntary and is strongly encouraged. If you are interested in becoming a member, please see the Town Administrator for details.

6.3 Workplace Violence

Unfortunately, violence in the workplace has become a reality for many employers. We hope that we never have to face this growing problem. The Town of Hopkinton therefore prohibits employees from bringing weapons on our premises, including our parking lots. Moreover, violence and verbal and physical threats of violence of any kind in the workplace or on Town property will not be tolerated, and employees engaging in such conduct will be subject to discipline, up to and including separation from employment. Responsive action may also include notifying the police or other law enforcement and prosecuting violators of this policy. If you become aware of any violence or threat of violence, you must immediately report the matter to the Town Administrator.

6.4 Alcohol and Drug Policy

The Town is committed to providing a safe work environment that is free from the effects of drugs and alcohol.

Drug and alcohol use in the workplace can create health, safety, and security issues for our employees, citizens and visitors. The Town of Hopkinton is committed to providing a safe work environment that is free from the effects of drugs and alcohol. In support of our commitment, the Town prohibits the following conduct and other conduct which, in our determination, is inconsistent with our commitment:

- the manufacture, distribution, sale, dispensation, possession, storage, or use of a controlled substance, unauthorized prescription drug, or drug paraphernalia at any time on Town premises, on Town business, or during working hours;
- use, possession, storage, manufacture, distribution, dispensation, or sale of alcohol at any time while on Town premises, on Town business, or during work hours;
- reporting to work or otherwise working under the influence of drugs or alcohol, or under the influence of legal drugs that may impair your ability to safely perform your job functions;
- reporting to work in a condition that is not fit for work. In addition to being under the influence as mentioned above, other indications of a lack of fitness for duty are smelling of alcohol, appearing to be hung over, or otherwise appearing or being unable to effectively interact with citizens, visitors and co-workers and work safely and properly without impairment;

- failing to submit to a required fitness for duty exam.

The Town of Hopkinton also maintains the following reporting requirements:

- Any employee who is taking medication that may impair his or her ability to safely perform job functions must inform his or her supervisor immediately, and must not perform any work until authorized to do so by the Town.
- If any employee is involved in drug misconduct (including the use or possession of illegal drugs or unauthorized prescription drugs) on Town premises or while working for the Town, the Town reserves the right to report the incident to law enforcement authorities;
- If any person observes an employee exhibiting behavior that may be indicative of impairment by drug or alcohol use, he or she should immediately report the behavior to his or her Department Head.

6.4.1 Investigations and Searches:

When the Town of Hopkinton determines that there is reasonable cause to suspect that an employee has violated this policy, the Town reserves the right to inspect, without prior notice, lockers, work areas, desks, cabinets, purses, bags, briefcases, other belongings, and vehicles brought on Town premises or at locations where work-related activities are being conducted. Cause to suspect shall be solely in the judgment and discretion of the Town. Town supplied lockers, work areas, desks, and cabinets are Town property and employees shall have no expectation of privacy in such.

6.4.2 Violations of this Policy:

Employees must, as a condition of employment, abide by the terms of this policy. Violations of this policy will result in disciplinary action, up to and including termination, and may also have legal consequences.

6.4.3 Fitness for Duty Exams:

The Town of Hopkinton reserves the right to require any employee to submit to a fitness for duty exam when there is a reasonable basis for the Town to believe that the employee may be under the influence of alcohol or drugs or may be otherwise unfit for duty. Fitness for duty exams may include, but not be limited to, tests for the presence of drugs or alcohol. Employees must consent to fitness for duty exams as a condition of employment. The cost of any such fitness for duty exams will be covered by the Town. Within the Town's discretion, an employee may be placed on paid or unpaid administrative leave or suspension pending the results of a fitness for duty exam.

6.5 Smoking Policy

The Town of Hopkinton is committed to providing a safe, healthy, and smoke-free work environment for our employees, visitors, and vendors. Consistent with our

commitment and state law, we have declared a no smoking policy within our buildings and in town owned vehicles, except in a designated smoking area.

No smoking is allowed in any areas of town buildings, except in the designated smoking area. Anyone wishing to smoke must do so only during authorized breaks in the designated area. The Town of Hopkinton hopes and expects that our employees will comply with the non-smoking policy. If you have a concern or complaint with respect to any employee, visitor, or vendor violating this policy, please report such concern or complaint to your Department Head or the Town Administrator.

If an employee fails to comply with these rules, the employee will be subject to disciplinary action, up to and including termination.

6.6 Seatbelt Policy

For the safety of those required to drive and ride in vehicles, all employees of the Town of Hopkinton and their passengers are required to wear seatbelts while operating or riding in any moving, Town-owned vehicle or while operating or riding in any personal or any other vehicle while in the course of conducting Town business. This requirement shall not apply in the case of vehicles for which the manufacturer or the Town has not installed seatbelts. This requirement shall not apply to ambulance or emergency service personnel or others functioning in a similar capacity and actually involved in patient/victim emergency care. All employees are forbidden from disengaging or otherwise disarming automatic seatbelt systems.

If an employee fails to comply with these rules, the employee will be subject to disciplinary action, up to and including termination.

6.7 Workplace Searches

To safeguard the safety and property of our employees, residents, and the Town of Hopkinton and to help prevent the possession and use of weapons and illegal drugs on Town of Hopkinton premises, it may become necessary to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes, or any other possessions or articles carried to and from Town of Hopkinton property. In addition, the Town of Hopkinton reserves the right to search any employee's office, desk, files, locker, or any other area or article on our premises in pursuit of our concern to safeguard the safety and property of employees and the Town of Hopkinton. Employees should understand that all offices, desks, files, lockers, and so forth, are the property of the Town of Hopkinton and are issued for the use of employees only during their employment with the Town of Hopkinton. Employees shall have no expectation of privacy in such Town supplied property. Inspections may be conducted at any time at the discretion of the Town of Hopkinton.

Employees working on or entering or leaving the premises who refuse to cooperate in an inspection, as well as employees who after the inspection are believed to be in possession of stolen property, weapons, or illegal drugs, may be subject to disciplinary action, up to and including discharge.

6.8 Cellular Phones

Cellular (cell) phones are an important part of our world today. Because many of our employees own personal cell phones we feel it necessary to provide guidance about use of personal cell phones in the workplace. Additionally, some employees may receive cell phones due to the nature of their position. This policy also outlines the appropriate and safe use of Town-provided cell phones.

6.8.1 Personal cellular phones

While at work, employees are to exercise the same discretion in using personal cellular phones as they do for Town phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. The Town encourages a reasonable standard of limiting personal calls during work time to no more than one per day as needed. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of the Town's policy. Flexibility will be provided in circumstances demanding immediate attention.

The Town will not be liable for the loss of personal cellular phones brought into the workplace.

6.8.2 Personal use of Town-provided cellular phones

Where job or business needs demand immediate access to an employee, the Town may issue a business cell phone to an employee for work-related communications. To protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons only. Phone logs will be audited regularly to ensure no unauthorized use has occurred.

Employees in possession of Town equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

6.8.3 Safety issues for cellular phone use

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options, refrain from discussion of complicated or emotional issues and keep their eyes on the road. Special care should be taken in situations where there is traffic,

inclement weather or the employee is driving in an unfamiliar area.

In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment will be provided to facilitate the provisions of this policy. Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy will be subject to the highest forms of disciplinary action up to and including termination.

SECTION 7 SEPARATION FROM EMPLOYMENT

7.1 Requested Notice of Decision to Terminate Employment

Should you decide to resign from your employment with the Town of Hopkinton, we ask that you notify your Department Head of your decision at least two (2) weeks in advance of your planned departure date. Your thoughtfulness will be appreciated, and will allow the town to maintain work schedules and provide important services to the public.

7.2 Exit Interviews

In most instances, employees who terminate their employment will be asked to participate in an exit interview with the Town Administrator and Finance Director. The purpose of the exit interview is to discuss any relevant separation benefits and benefit continuation, and to receive feedback from you on ways in which our town can improve our operations and retention of employees.

SECTION 8 COMPENSATION SYSTEM

8.1 General Policy

The Town Administrator shall be responsible for the development and maintenance of a uniform and equitable pay plan for the Town of Hopkinton which shall consist of minimum and maximum rates of pay for each position and such intermediate steps as deemed necessary and equitable, unless otherwise determined by a collective bargaining agreement. Wages shall be linked directly to the position classification plan and may take into consideration the following factors:

- Ranges of pay for other positions.

Prevailing rates of pay for similar employment in both public and private organizations.

- Cost of living factors.
- Other benefits received by employees.
- The financial policy and economic conditions of the Town of Hopkinton.

8.2 Pay Plan Development and Allocation

- The Town Administrator, or designee, may conduct a study of salary levels and may make adjustment recommendations to the Select Board at least every three (3) years. Implementation of adjustments are subject to the availability of funds.
- The Town Administrator shall assign each position level to a pay range based upon the relationship to other levels as defined in the position level plan and by market data.

8.3 Appointment

- Pay for newly hired employees shall normally be set at the minimum of the pay range assigned to a job class. However, the Town Administrator may recommend to the Select Board hires up to the highest range, as warranted by job qualifications and experience subject to the availability of funds.
- The Town Administrator shall not recommend hiring above the midpoint of a pay range except in unusual circumstances.

8.4 Merit Increase

- The Town Administrator, upon approval of the Select Board, may adopt merit increase guidelines effective January 1st of each calendar year subject to funding in the approved budget.
- All employees are eligible to receive a merit increase.
- Employees at or above the pay range maximum or employees whose performance is rated less than successful, shall not be eligible to receive a merit increase
- A part-time employee is eligible to receive a merit increase in the same amount of elapsed calendar time on the job as a full-time employee.
- The Department Head, Town Administrator, or designee, should complete an employee's performance evaluation each year following the schedule determined by the Town Administrator.
- The Town Administrator, working with the Department Heads will use all employee performance evaluations to determine the amount of merit increase.

- A merit increase shall not exceed the range of maximum assigned to a position level.
- Merit increases will take effect the pay period beginning closest to April 1.

8.5 Selective Salary Adjustment

- The Town Administrator may recommend a selective salary adjustment in order to mitigate an inequity caused by merit increase, freeze or other similar circumstances.
- The Town Administrator shall submit a written rationale supporting the recommendation to the Select Board.
- A selective adjustment is subject to the availability of funds and guidelines established by the Select Board.

8.6 Longevity Increase

- The Select Board may grant a longevity increase not to exceed 5% to a career service employee who has been paid at or above the range maximum for at least one (1) year, provided the employee has received a successful or outstanding performance rating and has been employed by the Town of Hopkinton for at least eight (8) years.
- An employee whose salary exceeds the range maximum is eligible to receive a longevity adjustment no more frequently than every five (5) years after the initial longevity adjustment. Any subsequent longevity increase shall not exceed 5%.
- An employee is eligible to receive a maximum of five (5) successive 5% adjustments beyond the range maximum. (Longevity scale maximum).

8.7 Cost of Living Adjustment

The Select Board may grant an across the board plan adjustment taking into consideration the cost-of-living. This plan adjustment will generally take effect the pay period beginning closest to April 1.

8.8 Promotion

By the recommendation of the Town Administrator working with the Department Head, a minimum 2.0% and a maximum of 15.0% salary increase may be granted to an employee receiving a promotion. If the new salary is below the minimum of the new range, it shall be increased to the new minimum.

8.9 Order of Salary Calculation

Multiple categories of pay increases awarded simultaneously shall be calculated in the following order:

1. Cost of living adjustment.

2. Merit.
3. Selective adjustment.
4. Promotion.
5. Longevity

8.10 Reassignment

Except when due to a demotion or a disciplinary action, an employee who is reassigned shall be paid at least the same salary received prior to the assignment.

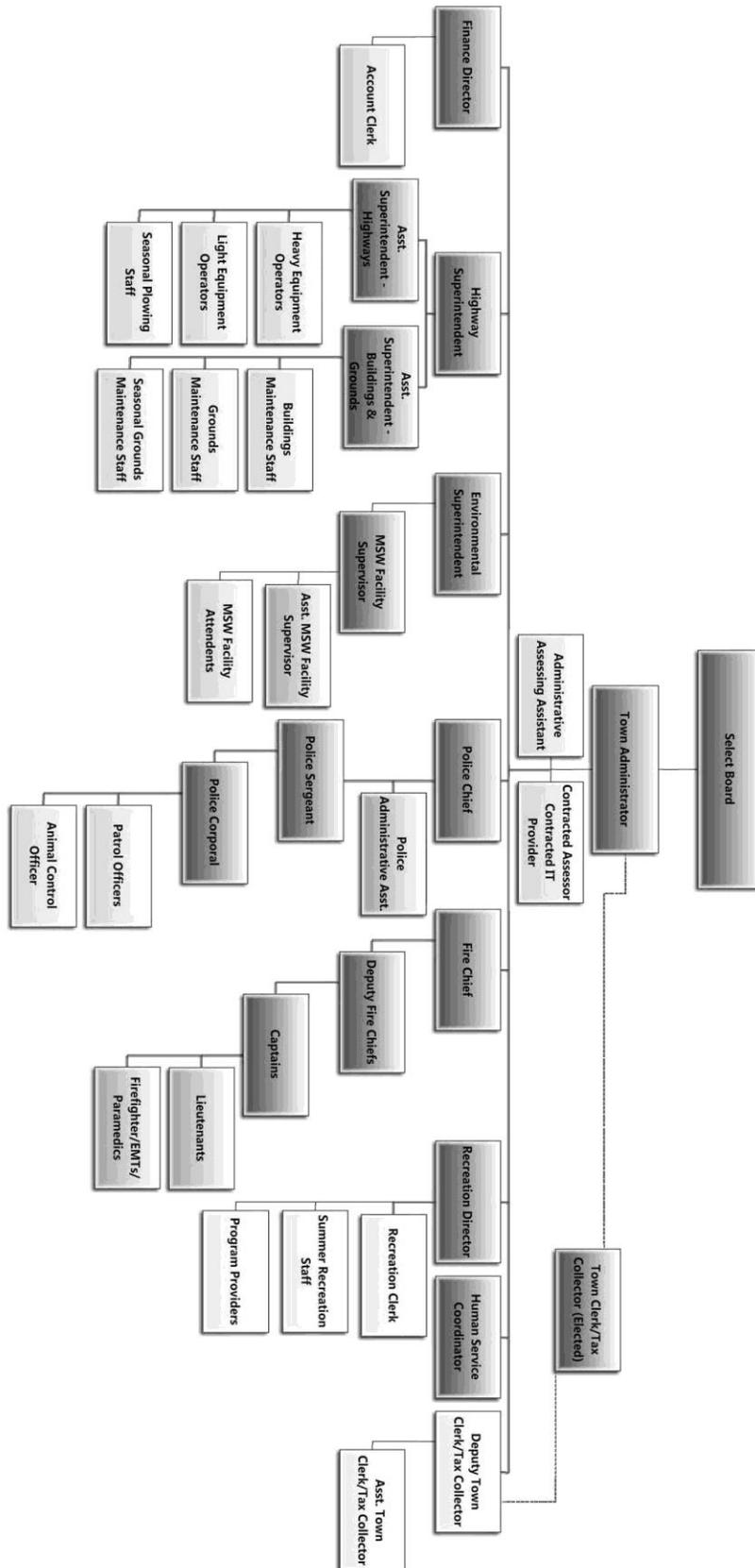
8.11 Reclassification

- If the Town Administrator reclassifies a position to a higher level, the Town Administrator shall adjust the incumbent's salary to at least the minimum of the new range and may give a 0 to 10.0% salary increase, based upon increased responsibility.
- A reclassification increase is subject to the availability of funds.
- If the Town Administrator reclassifies a position to a lower level, the incumbent's salary shall remain the same. If the incumbent's salary exceeds the maximum of the new range, the incumbent is ineligible to receive a salary increase until the salary range increases to incorporate the incumbent's pay rate. An employee is ineligible to receive cost-of-living increases until the salary range increases.

8.12 Demotion

If an employee is demoted, either voluntarily or involuntarily, the Town Administrator may treat the employee's salary according to the reclassification to a position of a lower level in 8.10 above or reduce the salary to the applicable pay range.

SECTION 9 ORGANIZATIONAL CHART



SECTION 10 PAY GRADE AND WAGE SCALE

Pay Grade Chart

<u>GRADE 1</u>	Library Technician
<u>GRADE 2</u>	Call Firefighter Custodian
<u>GRADE 3</u>	Laborer Minute-taker
<u>GRADE 4</u>	Transfer Station Attendant Assistant Librarian Account Clerk
<u>GRADE 5</u>	Light Equipment Operator
<u>GRADE 6</u>	Office Clerk- Town Clerk/Tax Collector Buildings & Grounds Worker Librarian
<u>GRADE 7</u>	Office Assistant
<u>GRADE 8</u>	Firefighter/EMT Heavy Equipment Operator Deputy Town Clerk/Tax Collector
<u>GRADE 9</u>	Firefighter/Paramedic Police Administrative Assistant
<u>GRADE 10</u>	Transfer Station Supervisor Human Services Coordinator Fire Lieutenant
<u>GRADE 11</u>	Administrative Assessing Assistant Assistant Town Clerk/Tax Collector
<u>GRADE 12</u>	Patrol Officer

Pay Grade Chart

GRADE 13 Superintendent of Buildings & Grounds
Superintendent of Highways
Highway Mechanic
Code Enforcement Officer/Building Inspector

GRADE 14 Library Director
Police Corporal

GRADE 15 Town Clerk/Tax Collector
Recreation Director

GRADE 16 Planning Director
Police Sergeant

GRADE 17 Superintendent of Environmental Services

GRADE 18

GRADE 19 Finance Director

GRADE 20 Fire Chief
Police Lieutenant

GRADE 21

GRADE 22 Director of Public Works

GRADE 23 Police Chief

GRADE 24 Town Administrator

TOWN OF HOPKINTON 2016 WAGE SCALE DRAFT
(BASED ON 40 HOUR WEEK)

LABOR GRADE		MINIMUM	MID-POINT	MAXIMUM
1	YRLY	24,960.00	29,952.00	34,944.00
	WKLY	480.00	576.00	672.00
	HRLY	12.00	14.40	16.80
2	YRLY	26,208.00	31,449.60	36,691.20
	WKLY	504.00	604.80	705.60
	HRLY	12.60	15.12	17.64
3	YRLY	27,518.40	33,022.08	38,525.76
	WKLY	529.20	635.04	740.88
	HRLY	13.23	15.88	18.52
4	YRLY	28,894.32	34,673.18	40,452.05
	WKLY	555.66	666.79	777.92
	HRLY	13.89	16.67	19.45
5	YRLY	30,339.04	36,406.84	42,474.65
	WKLY	583.44	700.13	816.82
	HRLY	14.59	17.50	20.42
6	YRLY	31,855.99	38,227.19	44,598.38
	WKLY	612.62	735.14	857.66
	HRLY	15.32	18.38	21.44
7	YRLY	33,448.79	40,138.54	46,828.30
	WKLY	643.25	771.90	900.54
	HRLY	16.08	19.30	22.51
8	YRLY	35,121.23	42,145.47	49,169.72
	WKLY	675.41	810.49	945.57
	HRLY	16.89	20.26	23.64
9	YRLY	36,877.29	44,252.75	51,628.20
	WKLY	709.18	851.01	992.85
	HRLY	17.73	21.28	24.82
10	YRLY	38,721.15	46,465.38	54,209.61
	WKLY	744.64	893.57	1,042.49
	HRLY	18.62	22.34	26.06
11	YRLY	40,657.21	48,788.65	56,920.09
	WKLY	781.87	938.24	1,094.62
	HRLY	19.55	23.46	27.37
12	YRLY	42,690.07	51,228.08	59,766.10
	WKLY	820.96	985.16	1,149.35
	HRLY	20.52	24.63	28.73

TOWN OF HOPKINTON 2016 WAGE SCALE

LABOR GRADE		MINIMUM	MID-POINT	MAXIMUM
13	YRLY	44,824.57	53,789.49	62,754.40
	WKLY	862.01	1,034.41	1,206.82
	HRLY	21.55	25.86	30.17
14	YRLY	47,065.80	56,478.96	65,892.12
	WKLY	905.11	1,086.13	1,267.16
	HRLY	22.63	27.15	31.68
15	YRLY	49,419.09	59,302.91	69,186.73
	WKLY	950.37	1,140.44	1,330.51
	HRLY	23.76	28.51	33.26
16	YRLY	51,890.05	62,268.06	72,646.07
	WKLY	997.89	1,197.46	1,397.04
	HRLY	24.95	29.94	34.93
17	YRLY	54,484.55	65,381.46	76,278.37
	WKLY	1,047.78	1,257.34	1,466.89
	HRLY	26.19	31.43	36.67
18	YRLY	57,208.78	68,650.53	80,092.29
	WKLY	1,100.17	1,320.20	1,540.24
	HRLY	27.50	33.01	38.51
19	YRLY	60,069.22	72,083.06	84,096.90
	WKLY	1,155.18	1,386.21	1,617.25
	HRLY	28.88	34.66	40.43
20	YRLY	63,072.68	75,687.21	88,301.75
	WKLY	1,212.94	1,455.52	1,698.11
	HRLY	30.32	36.39	42.45
21	YRLY	66,226.31	79,471.57	92,716.84
	WKLY	1,273.58	1,528.30	1,783.02
	HRLY	31.84	38.21	44.58
22	YRLY	69,537.63	83,445.15	97,352.68
	WKLY	1,337.26	1,604.71	1,872.17
	HRLY	33.43	40.12	46.80
23	YRLY	73,014.51	87,617.41	102,220.31
	WKLY	1,404.13	1,684.95	1,965.78
	HRLY	35.10	42.12	49.14
24	YRLY	76,665.23	91,998.28	107,331.33
	WKLY	1,474.33	1,769.20	2,064.06
	HRLY	36.86	44.23	51.60